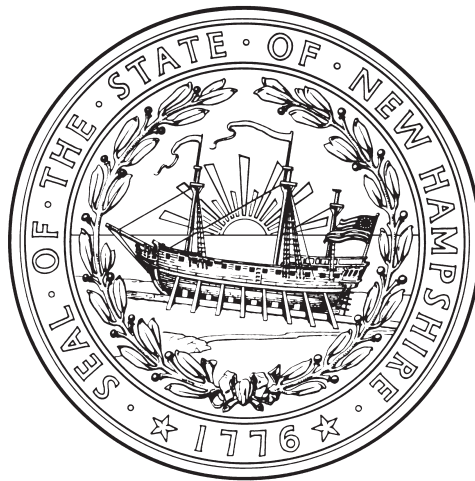


May 31, 2017
Nos. 17-18

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**First Year of the 165th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 18, 2017 SESSION
COMMENCEMENT – MAY 31, 2017 SESSION**

SENATE JOURNAL 17 *(continued)*

May 18, 2017

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 82, relative to hair braiding.

HB 88-FN, relative to Purple Heart and Pearl Harbor survivor number plates.

HB 89, relative to municipal revolving funds.

HB 94-FN, prohibiting certain defenses in prostitution and human trafficking cases and relative to fines assessed for certain offenses involving domestic violence.

HB 108, relative to municipal record retention and conversion.

HB 140-FN, authorizing wine manufacturer retail outlets.

HB 152-FN, relative to wholesale distributors of alcoholic beverages.

HB 167, relative to audits of county funds.

HB 211-FN, relative to temporary OHRV registrations for nonresidents, and OHRV and snowmobile trail connectors.

HB 219, establishing a demographic study committee.

HB 226, relative to documenting the improvement of non-proficient readers.

HB 262, declaring the common blackberry to be the berry of the biennium.

HB 291-FN, removing veterinarians from the requirements of adopting rules for prescribing opioids and querying the controlled drug prescription health and safety program.

HB 301, relative to the regulation of electric grills.

HB 303-LOCAL, relative to filling vacancies in the office of county commissioner and relative to procedures for adoption of the budget for Rockingham County.

HB 322, adding rulemaking authority to require completion of a certain survey as part of the license renewal process for health care providers.

HB 349-FN, relative to out-of-home placements under the child protection act.

HB 397, relative to juvenile justice procedures.

HB 405, relative to the duties of the decennial retirement commission, and relative to the function and organization of the department of administrative services risk management unit and division of personnel.

HB 431, establishing a commission to study long term goals and requirements for drinking water in the seacoast area.

HB 437, relative to the authority of municipal law enforcement officers and relative to information contained in certain motor vehicle records.

HB 488, establishing a state parks advisory council.

HB 501, relative to access to minutes of meetings of condominium unit owner's associations.

HB 502, relative to the availability of condominium financial information to unit owners.

HB 513, authorizing the state veterans' advisory committee to accept gifts, grants, and donations for payment of the committee's costs, prohibiting the inclusion of statewide assessment results in a student's transcript without consent, and relative to assessments administered to pupils in grades 3 through 8.

HB 514, relative to alternate members of planning boards.

HB 586-FN, relative to the regulation of certain professions by the office of professional licensure and certification.

HB 612, relative to livestock and meat inspection.

HB 650-FN, relative to procedures of the board of psychologists.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 629-FN, establishing a preference for the appointment of the child's grandparent as guardian of the minor in certain cases and making an appropriation to the department of health and human services.

May 18, 2017
2017-1877-EBA
06/04

Enrolled Bill Amendment to HB 629-FN

The Committee on Enrolled Bills to which was referred HB 629-FN

AN ACT establishing a preference for the appointment of the child's grandparent as guardian of the minor in certain cases and making an appropriation to the department of health and human services.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 629-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 629-FN

Amend RSA 463:5, VII as inserted by section 1 of the bill by replacing line 4 with the following:

the state of New Hampshire. The department of health and human services shall also post such

Amend section 4 of the bill by replacing line 1 with the following:

4 Termination of Guardianship; Burden of Proof. Amend RSA 463:15, V to read as follows:

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

May 17, 2017
2017-1837-EBA
08/03

Enrolled Bill Amendment to SB 161

The Committee on Enrolled Bills to which was referred SB 161

AN ACT establishing a commission to evaluate the direct care workforce and preparedness of long-term care and support services for aging adults with dementia or other cognitive brain injuries.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 161

This enrolled bill amendment makes technical changes.

Enrolled Bill Amendment to SB 161

Amend RSA 151-E:21, I as inserted by section 1 of the bill by replacing lines 3 through 21 with the following: injuries. The members of the commission shall be as follows:

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

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

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

(d) A representative of the Alzheimer's Association, appointed by the association.

(e) A representative of AARP New Hampshire, appointed by AARP New Hampshire.

(f) A representative of the New Hampshire Hospital Association, appointed by the association.

(g) One representative of the Brain Injury Association of New Hampshire, appointed by the association.

(h) A representative of a long-term care facility, appointed by the New Hampshire Health Care Association.

(i) The long-term care ombudsman, or designee.

(j) A representative of a statewide association representing nonprofit housing and senior services programming, appointed by the president of the senate.

(k) A representative of Home Care Association of New Hampshire, appointed by the association.

Amend RSA 151-E:21, IV as inserted by section 1 of the bill by replacing line 1 with the following:

IV. The commission shall report its findings and any recommendations for proposed

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

May 18, 2017

2017-1888-EBA

05/10

Enrolled Bill Amendment to SB 234-FN

The Committee on Enrolled Bills to which was referred SB 234-FN

AN ACT relative to hypodermic syringes and needles containing residual amounts of controlled drugs and authorizing the operation of syringe service programs in New Hampshire.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 234-FN

This enrolled bill amendment makes technical and grammatical corrections.

Enrolled Bill Amendment to SB 234-FN

Amend subparagraph I(b) of section 1 of the bill by replacing line 2 with the following:

by more than 50 percent, and to significantly reduce HCV, which may be present in upwards of

Amend subparagraph I(g) of section 1 of the bill by replacing it with the following:

(g) The future costs to the state and society for health care, lost productivity, public aid to treat and care for people affected by HIV/AIDS, HCV, and other diseases associated with unsafe injections are exorbitant.

Amend subparagraphs I(o) and (p) of section 1 of the bill by replacing them with the following:

(o) Access to a legal syringe disposal program reduces circulation of needles in the community and reduces the prevalence of HIV and HCV in syringes.

(p) Syringe service programs are a necessary part of our existing comprehensive strategy of prevention treatment and recovery and a component of the Opiate-Opioid Public Health Crisis NH Comprehensive Response.

Amend section 6 of the bill by replacing it with the following:

6 Repeal. RSA 318:52-d, relative to recording and filing of prescriptions for hypodermic syringes and needles, is repealed.

Amend RSA 318-B:43, II(f)(10) as inserted by section 7 of the bill by replacing it with the following:

(10) Number of referrals to HCV testing.

Amend RSA 318-B:44 as inserted by section 7 of the bill by replacing lines 4 and 5 with the following:
construed as an affirmative defense for any offense other than as set forth under RSA 318-B:26, II(f).

Senator Avarad moved adoption of the Enrolled Bill Amendment. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

SB 65, relative to vaccines administered by pharmacists.

SB 104, relative to career and technical education.

Senator Avarad moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 629-FN, establishing a preference for the appointment of the child's grandparent as guardian of the minor in certain cases and making an appropriation to the department of health and human services.

Senator Avarad moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 98-FN, relative to brewpub licenses.

HB 99, relative to beverage containers.

HB 100, relative to the definition and use of toy smoke devices.

HB 310, relative to insurance group-wide supervision and relative to supervisory college confidentiality.

HB 323, relative to standards for revaluations established by the assessing standards board.

HB 330-FN, relative to form and rate filing fees.

HB 373, relative to rulemaking on forms for allied health professionals and relative to information on court cases concerning the validity of administrative rules.

HB 380-FN, relative to the oil discharge and disposal cleanup fund.

HB 457-FN, relative to consumer credit division entities.

HB 473, relative to the sale of gift certificates.

HB 600-FN, relative to requirements for certain alcoholic beverage licenses.

SB 16, reauthorizing the commission to study apportionment of gross business profits under RSA 77-A and the committee to study the process by which business names are authorized by the secretary of state.

SB 45, requiring a course in civics for high school graduation.

SB 61, relative to medical records of a deceased spouse or next of kin.

SB 166, relative to termination of the parent-child relationship in cases of sexual assault.

Senator Avarad moved adoption of the Report of Committee on Enrolled Bills. Adopted.

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Bradley moved that the Senate adjourn from the Late Session.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 18

May 31, 2017

The Senate reconvened at 1:00 p.m., a quorum being present.

The Reverend Jon Hopkins, chaplain to the Senate, offered the following prayer:

Let us pray.

Dear God, we know that we are not the owners of material wealth. It belongs first and foremost to you, who have given us minds to mold industry, natural resources to provide life, and labor to produce necessary products. It belongs second to those who have labored for their wages, and it belongs third to those who come after us. Since we are not the owners, help us to be good stewards of the money that has been provided for the running of our state. Give us even temperament to spend what is needed for the general good to help those in need, protect those in harm's way, and give every person the opportunity to rise as far as hard work and natural ability will take them. Let us be ambitious in our belief that what we do here today will matter to all the people that live in the state of New Hampshire. We give thanks to all our citizens who have paid taxes that provide for the common good. Help us to be faithful stewards of this awesome responsibility to use that money with prudence and wisdom. Amen

Senator Gannon led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Bradley introduced Max Taylor, President of the freshman class at Moultonborough Academy visiting in the gallery.

Senator Sanborn introduced students from Mountain Shadows School in Dublin visiting in the gallery.

Senator D'Allesandro introduced Major Ernest Loomis visiting in the gallery.

INTRODUCTION OF PAGES

Senator Giuda introduced Sarah Seeley and Ian McCabe from Inter-Lakes High School in Meredith, serving as Senate Pages for the day.

CONSENT CALENDAR

Senator Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought-to-Pass be ordered to Third Reading.

ELECTION LAW AND INTERNAL AFFAIRS

HB 372, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

Re-refer to Committee, Vote 5-0. Senator Gray for the committee.

This bill would modify the general statutory definitions of "resident or inhabitant" and "residence or residency". The committee found that more work is needed to better understand any potential ramifications of this legislation.

JUDICIARY

HB 143, relative to recommitment of a prisoner by the parole board.

Re-refer to Committee, Vote 5-0. Senator Carson for the committee.

This bill would remove certain criteria under which the parole board may impose a term of recommitment upon a parolee. The Committee determined that the bill needs further study and examination before moving forward.

HB 170, relative to posting notice and minutes of public meetings on the public body's website.

Ought to Pass with Amendment, Vote 5-0. Senator Hennessey for the committee.

This bill declares that if notice of meetings and minutes of public meetings are posted on a public body's Internet website, they shall be posted for all subsequent meetings. The Committee amended the bill to clarify and narrow the language, making it more workable for municipalities and to uphold respect for the concept of local control.

Senate Judiciary
May 25, 2017
2017-2032s
01/06

Amendment to HB 170

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Right-to-Know; Meetings Open to the Public. Amend RSA 91-A:2 by inserting after paragraph II the following new paragraph:

II-a. If a public body maintains an Internet website or contracts with a third party to maintain an Internet website on its behalf, it shall either post its approved minutes in a consistent and reasonably accessible location on the website or post and maintain a notice on the website stating where the minutes may be reviewed and copies requested.

(b) If a public body chooses to post meeting notices on the body's Internet website, it shall do so in a consistent and reasonably accessible location on the website. If it does not post notices on the website, it shall post and maintain a notice on the website stating where meeting notices are posted.

2017-2032s

AMENDED ANALYSIS

This bill clarifies the procedure for posting minutes and meeting notices on the public body's Internet website.

The question is on the adoption of the Consent Calendar. Adopted.

REGULAR CALENDAR

FINANCE

HB 144, relative to procedures for adoption of the budget for Rockingham County.

HB 144, as amended, serves as the vehicle for HB 1-A.

Ought to Pass with Amendment, Vote 4-2. Senator Daniels for the committee.

(Note: Committee Amendment 2017-2024s to HB 144, as amended, serving as the vehicle for HB 1-A, will be printed in its entirety in the 2017 permanent Journal of the Senate.)

Senate Finance

May 24, 2017

2017-2024s

01/04

Amendment to HB 144

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

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity-water, class 027-transfers to DoIT, class 028-transfers to general services, class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maintenance-buildings and grounds, class 048-contractual maintenance-buildings and grounds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2019. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-

351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2019.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2019.

H. Not used.

I. In the event that estimated revenue in revenue class 001-transfers for other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2019 account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

J. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.

2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds shall be the total appropriation from general funds for such accounting units that may be expended for the purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefor.

3 Assignment of Office Space. If, during the biennium ending June 30, 2019, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, activity number 01-14-14-141510 for maintenance of applicable state buildings.

4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2019, in order to provide sufficient funding to the lottery commission to carryout lottery games that will provide funds for the distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new games, the expansion of any existing lottery games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium ending June 30, 2019.

5 Positions Abolished.

I. The following positions are hereby abolished effective at the close of business on June 30, 2017:

Department of Administrative Services

01-014-014-140510-2980	12969	13910	14642	18029	19675
	40357	40970			

01-014-014-141510-2042	9U474
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Department of State

01-32-32-3215-1065	11362	18096	43452	43456	11364
	40043	43460			

Department of Safety

02-023-023-231015-7546	9U073
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New Hampshire Lottery Commission

06-083-083-830013-2028	9U159	9U163
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II. The following position is hereby abolished effective at the close of business on June 30, 2018:

New Hampshire Lottery Commission

06-083-083-830013-2028	9U158
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6 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7929, class 049, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.

7 Estimates of Unrestricted Revenue.

GENERAL FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	\$329,700,000	\$341,100,000
BUSINESS ENTERPRISE TAX	<u>82,100,000</u>	<u>84,900,000</u>
SUBTOTAL BUSINESS TAXES	\$411,800,000	\$426,000,000
MEALS AND ROOMS TAX	319,300,000	335,800,000
TOBACCO TAX	120,400,000	120,400,000
TRANSFER FROM LIQUOR	145,000,000	148,400,000
INTEREST AND DIVIDENDS TAX	98,000,000	99,000,000
INSURANCE	115,000,000	116,000,000
COMMUNICATIONS TAX	45,600,000	43,300,000
REAL ESTATE TRANSFER TAX	107,400,000	111,500,000
COURT FINES & FEES	13,100,000	13,000,000
SECURITIES REVENUE	45,800,000	46,500,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BEER TAX	13,200,000	13,200,000
OTHER REVENUES	78,000,000	76,500,000
MEDICAID RECOVERIES	<u>9,100,000</u>	<u>9,100,000</u>
TOTAL GENERAL FUND	\$1,527,700,000	\$1,564,700,000

EDUCATION FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	\$67,500,000	\$69,900,000
BUSINESS ENTERPRISE TAX	<u>182,700,000</u>	<u>189,100,000</u>
SUBTOTAL BUSINESS TAXES	\$250,200,000	\$259,000,000
MEALS AND ROOMS TAX	9,900,000	10,400,000

TOBACCO TAX	94,600,000	94,600,000
REAL ESTATE TRANSFER TAX	50,600,000	52,500,000
TRANSFER FROM LOTTERY	75,000,000	75,000,000
TRANSFER FROM RACING & CHARITABLE GAMING	3,000,000	3,000,000
TOBACCO SETTLEMENT	35,000,000	35,000,000
UTILITY PROPERTY TAX	42,500,000	42,500,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
TOTAL EDUCATION FUND	\$923,900,000	\$935,100,000

HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>
GASOLINE ROAD TOLL	\$125,900,000	\$125,900,000
MOTOR VEHICLE FEES	114,600,000	115,700,000
MISCELLANEOUS	<u>600,000</u>	<u>600,000</u>
TOTAL HIGHWAY FUND	\$241,100,000	\$242,200,000

FISH AND GAME FUND	<u>FY 2018</u>	<u>FY 2019</u>
FISH AND GAME LICENSES	\$9,600,000	\$9,600,000
FINES AND MISCELLANEOUS	<u>1,800,000</u>	<u>1,800,000</u>
TOTAL FISH AND GAME FUND	\$11,400,000	\$11,400,000

8 Effective Date. This act shall take effect July 1, 2017.

The question is on the adoption of the Committee Amendment.

A roll call was requested by Senator Daniels, seconded by Senator Sanborn.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

Recess. Out of recess.

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist 11
May 30, 2017
2017-2082s
05/10

Floor Amendment to HB 144

Amend the title of the bill by replacing it with the following:

AN ACT making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019.

2017-2082s

AMEDNED ANALYSIS

No analysis needed.

The question is on the adoption of the Floor Amendment. Adopted.

Senator D'Allesandro offered a floor amendment.

Sen. D'Allesandro, Dist 20
May 31, 2017
2017-2133s
10/03

Floor Amendment to HB 144

Amend the footnote following accounting unit 05-95-93-930010-7100, class 502 to read as follows:

502 This appropriation shall not lapse until June 30, 2019, and may not be transferred for any other purpose.

~~[In the event that expenditures are greater than the amounts appropriated, the Department of Health and Human Services may request, with prior authorization of the Fiscal Committee, that the Governor and Council authorize additional general funds not to exceed \$4,000,000 in each year of the biennium. Upon approval, the governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.]~~

Amend the bill by inserting after section 6 the following new sections:

7 Department of Health and Human Services; Appropriation; Developmental Services. In addition to the amounts appropriated in section 1 of this act, the sum of \$8,000,000 in the fiscal year ending June 30, 2018, and the sum of \$8,000,000 in the fiscal year ending June 30, 2019 are hereby appropriated to the department of health and human services, accounting unit 05-95-93-930010-7100, class 502, for the purpose of fully funding the developmental services waitlist. Of these amounts, 50 percent shall be state general funds and 50 percent shall be federal funds. The governor is authorized to draw a warrant for the general fund share of said sums out of any money in the treasury not otherwise appropriated.

8 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$4,000,000 in the fiscal year ending June 30, 2018 and by \$4,000,000 in the fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Soucy offered a floor amendment.

Sen. Soucy, Dist 18

May 31, 2017

2017-2131s

04/03

Floor Amendment to HB 144

Amend the bill by inserting after section 6 the following new sections:

7 Department of Health and Human Services; Voluntary Services to Families; Appropriation. In addition to the amounts appropriated in section 1 of this act, the sum of \$2,520,000 in the fiscal year ending June 30, 2018, and the sum of \$2,520,000 in the fiscal year ending June 30, 2019 are hereby appropriated to the department of health and human services for the purpose of funding voluntary services to families provided by the division for children, youth, and families. Of these amounts, 50 percent shall be state general funds and 50 percent shall be federal funds. The governor is authorized to draw a warrant for the general fund share of said sums out of any money in the treasury not otherwise appropriated.

8 Department of Health and Human Services; Family Service Workers; Appropriation. In addition to the amounts appropriated in section 1 of this act, the sum of \$245,628 in the fiscal year ending June 30, 2018, and the sum of \$491,256 in the fiscal year ending June 30, 2019 are hereby appropriated to the department of health and human services for the purpose of funding 4 new family service workers in fiscal year 2018 and an additional 4 such workers in fiscal year 2019. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

9 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$1,505,628 in the fiscal year ending June 30, 2018 and by \$1,751,256 in the fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Hennessey.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Hennessey offered a floor amendment.

Sen. Hennessey, Dist 5

Sen. Fuller Clark, Dist 21

May 31, 2017

2017-2129s

03/04

Floor Amendment to HB 144

Amend the bill by inserting after section 6 the following new sections:

7 Department of Health and Human Services; General Fund Appropriation for Community Mental Health Services. In addition to the amounts appropriated in section 1 of this act, the sum of \$920,000 for the fiscal year ending June 30, 2018 and the sum of \$920,000 for the fiscal year ending June 30, 2019 are hereby appropriated to accounting unit 05-95-92-922010-4117, class 102, for the purpose of increasing salaries to help attract and retain clinical staff across the 10 community health centers. The governor is authorized to draw a warrant for said sums out of money in the treasury not otherwise appropriated.

8 Department of Health and Human Services; General Fund Appropriation for Community Mental Health Services. In addition to the amounts appropriated in section 1 of this act, the following appropriations are hereby authorized for the purpose of establishing an additional Childhood Assertive Community Treatment Team. Said appropriations shall be a charge against the funds as specified:

<u>FY 2018</u>				
Accounting Unit	Class	Department/ Agency	Fund Source	
		Health and Human Services		
05-95-92-920510-4117	102	Contracts for Program Services	General Fund	\$315,000
05-95-92-920510-4117	102	Contracts for Program Services	Federal Funds	\$175,000

<u>FY 2019</u>				
Accounting Unit	Class	Department/ Agency	Fund Source	
		Health and Human Services		
05-95-92-920510-4117	102	Contracts for Program Services	General Fund	\$315,000
05-95-92-920510-4117	102	Contracts for Program Services	Federal Funds	\$175,000

9 Department of Health and Human Services; General Fund Appropriation for New Hampshire Hospital Nursing Positions. In addition to the amounts appropriated in section 1 of this act, the following appropriations are hereby authorized for the purpose of funding the salary and benefits of the 9 authorized, but unfunded nursing positions at New Hampshire Hospital. Said appropriations shall be a charge against the funds as specified:

<u>FY 2018</u>				
Accounting Unit	Class	Department/ Agency	Fund Source	
		Health and Human Services		
05-95-94-940010-8750	010	Personal Services–Perm.Classi	General Fund	\$248,055
05-95-94-940010-8750	010	Personal Services – Perm.Classi	Federal Fund	\$248,055
05-95-94-940010-8750	060	Benefits	General Funds	\$109,373
05-95-94-940010-8750	060	Benefits	Federal Funds	\$109,373

		FY 2019		
Accounting Unit	Class	Department/ Agency	Fund Source	
		Health and Human Services		
05-95-94-940010-8750	010	Personal Services–Perm.Classie	General Fund	\$253,016
05-95-94-940010-8750	010	Personal Services–Perm.Classi	Federal Fund	\$253,016
05-95-94-940010-8750	060	Benefits	General Funds	\$111,561
05-95-94-940010-8750	060	Benefits	Federal Funds	\$111,561

10 Department of Health and Human Services; Classified Position Established. In addition to the amounts appropriated in section 1 of this act, the sum of \$90,000 in the fiscal year ending June 30, 2018 and the sum of \$90,000 in the fiscal year ending June 30, 2019 are hereby appropriated to the department of health and human services, for the purpose of funding the following newly-established classified position, nurse practitioner (APRN), labor grade 28, to receive delegation of duties from and support the mental health medical supervisor established in RSA 126-A:9, I(c). The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

11 Department of Health and Human Services; Appropriation. In addition to the amounts appropriated in section 1 of this act, the sum of \$280,000 in the fiscal year ending June 30, 2018 is hereby appropriated to the department of health and human services for the purpose of providing a wraparound Medicaid benefit for children with severe emotional disturbances whose service needs cannot be met through traditional behavioral health services. Of this amount, 50 percent shall be state general funds and 50 percent shall be federal funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

12 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$2,187,005 in the fiscal year ending June 30, 2018 and by \$2,047,005 in the fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Hennessey, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Kahn offered a floor amendment.

Sen. Kahn, Dist 10

May 30, 2017

2017-2108s

05/10

Floor Amendment to HB 144

Amend the bill by inserting after section 6 the following new sections:

7 University System of New Hampshire; Appropriation. In addition to any other sums appropriated to the university system of New Hampshire, the sum of \$4,300,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the university system of New Hampshire. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Governor's Scholarship Program. The general fund appropriation to the office of the governor, accounting unit 01-02-02-024010-6400 administration, class 107 (scholarships and grants), is hereby reduced by \$5,000,000 for the fiscal year ending June 30, 2018.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Watters, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Recess. Out of recess.

Senator D'Allesandro offered a floor amendment.

Sen. D'Allesandro, Dist 20
May 31, 2017
2017-2135s
04/03

Floor Amendment to HB 144

Amend the bill by inserting after section 6 the following new sections:

7 Retiree Health Insurance; Appropriation to the Department of Administrative Services.

I. In addition to sums appropriated pursuant to section 1, the sum of \$727,500 for the fiscal year ending June 30, 2018, and the sum of \$1,434,500 for the fiscal year ending June 30, 2019, are hereby appropriated to the department of administrative services account 01-14-14-143510-2903 Retirees Health Insurance. Subject to estimates of additional revenue provided for in HB 517 of the 2017 regular legislative session, the governor shall draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. In addition to sums appropriated pursuant to section 1, the sum of \$483,200 for the fiscal year ending June 30, 2018, and the sum of \$915,100 for the fiscal year ending June 30, 2019, are hereby appropriated to the department of administrative services account 01-14-14-143510-2903 Retirees Health Insurance. Said sums shall be a charge to the appropriate agency by the commissioner of administrative services for deposit into 001 Transfers from Other Agencies. Said sums shall be subject to estimates of additional revenue provided for in HB 517 of the 2017 regular legislative session.

III. The commissioner of administrative services shall reduce appropriations under 009 Agency Income in account 01-14-14-143510-2903 by sums equal to the amounts appropriated pursuant to paragraphs I and II.

8 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$727,500 in the fiscal year ending June 30, 2018 and by \$1,434,500 in the fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Daniels, seconded by Senator Soucy.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Ward, Sanborn, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 11 - Nays: 12. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15
May 31, 2017
2017-2134s
10/05

Floor Amendment to HB 144

Amend the bill by inserting after section 6 the following new sections:

7 Department of Health and Human Services; Appropriation; STD Testing and Prevention. In addition to the amounts appropriated in section 1 of this act, the sum of \$200,000 in the fiscal year ending June 30, 2018, and the sum of \$200,000 in the fiscal year ending June 30, 2019 are hereby appropriated to the department of health and human services, accounting unit 05-95-90-9025-7536, class 102, for the purpose of supporting

and expanding testing and referral community contracts in the NH STD program in Hillsborough, Merrimack, Rockingham, and Strafford counties. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

8 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$200,000 in fiscal year ending June 30, 2018 and by \$200,000 in fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Lasky, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Watters offered a floor amendment.

Sen. Watters, Dist 4
May 31, 2017
2017-2130s
05/03

Floor Amendment to HB 144

Amend accounting unit 06-56-56-560010-5137-600, tuition and transportation aid, to read as follows:

Strike Out

600 Tuition and Transportation Aid *	7,400,000	7,400,000
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Insert in Place Thereof

600 Tuition and Transportation Aid *	7,500,000	7,500,000
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Amend the bill by inserting after section 6 the following new section:

7 Increased General Fund Unrestricted Revenue. Increase the total general fund unrestricted revenue estimate by \$100,000 in the fiscal year ending June 30, 2018 and by \$100,000 in the fiscal year ending June 30, 2019. The increased general fund unrestricted revenues shall be allocated proportionally to all revenues, however no individual revenue estimate shall be higher than the estimate contained in HB 1-A of the 2017 regular legislative session as introduced.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Lasky, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Giuda, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 10 - Nays: 13. Failed.

Senator Woodburn offered a floor amendment.

Sen. Woodburn, Dist 1
May 30, 2017
2017-2102s
06/10

Floor Amendment to HB 144

Amend the bill by replacing section 7 with the following:

7 Estimates of Unrestricted Revenue.

GENERAL FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	\$333,700,000	\$340,200,000
BUSINESS ENTERPRISE TAX	<u>84,200,000</u>	<u>85,600,000</u>
SUBTOTAL BUSINESS TAXES	417,900,000	425,800,000
MEALS AND ROOMS TAX	324,200,000	340,400,000
TOBACCO TAX	120,400,000	121,600,000
TRANSFER FROM LIQUOR	144,000,000	144,000,000
INTEREST AND DIVIDENDS TAX	96,000,000	98,900,000
INSURANCE	120,300,000	120,000,000
COMMUNICATIONS TAX	46,600,000	44,300,000
REAL ESTATE TRANSFER TAX	102,500,000	108,700,000
COURT FINES & FEES	13,700,000	13,800,000
SECURITIES REVENUE	44,900,000	46,300,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BEER TAX	13,200,000	13,200,000
OTHER REVENUES	<u>79,900,000</u>	<u>80,600,000</u>
SUBTOTAL	1,529,600,000	1,563,600,000
MEDICAID RECOVERIES	<u>9,100,000</u>	<u>9,100,000</u>
TOTAL GENERAL FUND	<u>1,538,700,000</u>	<u>1,572,700,000</u>

EDUCATION FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	70,300,000	71,600,000
BUSINESS ENTERPRISE TAX	<u>185,000,000</u>	<u>187,800,000</u>
SUBTOTAL BUSINESS TAXES	255,300,000	259,400,000
MEALS AND ROOMS TAX	9,900,000	10,400,000
TOBACCO TAX	94,600,000	95,600,000
REAL ESTATE TRANSFER TAX	48,500,000	51,400,000
TRANSFER FROM LOTTERY	75,000,000	75,000,000
TRANSFER FROM RACING & CHARITABLE GAMING	2,000,000	2,000,000
TOBACCO SETTLEMENT	35,000,000	35,000,000
UTILITY PROPERTY TAX	42,000,000	42,400,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
TOTAL EDUCATION FUND	925,400,000	934,300,000

HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>
GASOLINE ROAD TOLL	\$125,900,000	\$125,900,000
MOTOR VEHICLE FEES	114,600,000	115,700,000
MISCELLANEOUS	<u>600,000</u>	<u>600,000</u>
TOTAL HIGHWAY FUND	\$241,100,000	\$242,200,000

FISH AND GAME FUND	<u>FY 2018</u>	<u>FY 2019</u>
FISH AND GAME LICENSES	\$9,600,000	\$9,600,000
FINES AND MISCELLANEOUS	<u>1,800,000</u>	<u>1,800,000</u>
TOTAL FISH AND GAME FUND	\$11,400,000	\$11,400,000

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avar, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Giuda offered a floor amendment.

Sen. Giuda, Dist 2
 May 31, 2017
 2017-2124s
 05/10

Floor Amendment to HB 144

Amend accounting unit 05-95-93-930010-7014, early intervention, as follows:

Strike Out

502 Payments to Providers	5,489,664	5,489,664
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ESTIMATED SOURCE OF FUNDS FOR
 EARLY INTERVENTION

FEDERAL FUNDS	2,747,580	2,747,580
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GENERAL FUND	5,484,330	5,484,330
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Insert in Place Thereof

502 Payments to Providers	7,689,664	7,689,664
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ESTIMATED SOURCE OF FUNDS FOR
 EARLY INTERVENTION

FEDERAL FUNDS	3,847,580	3,847,580
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GENERAL FUND	6,584,330	6,584,330
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Amend accounting unit 05-95-95-950010-5000, commissioner's office, as follows:

Strike Out

101 Medical Payments to Providers	9,400,000	9,400,000
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ESTIMATED SOURCE OF FUNDS FOR
 COMMISSIONER'S OFFICE

FEDERAL FUNDS	4,472,083	4,482,875
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GENERAL FUND	8,013,972	8,054,375
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Insert in Place Thereof

101 Medical Payments to Providers	7,200,000	7,200,000
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ESTIMATED SOURCE OF FUNDS FOR
 COMMISSIONER'S OFFICE

FEDERAL FUNDS	3,372,083	3,382,875
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GENERAL FUND	6,913,972	6,954,375
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Replace the organization note following accounting unit 05-95-95-950010-5000, commissioner's office, with the following:

From the amounts appropriated in class 101, the Department shall utilize the following amounts to provide rate increases to providers: \$3,000,000 (50% general funds, 50% federal funds) in each year of the biennium to provide a one-time rate increase of up to 5% over rates in place on June 30, 2017, for services paid out of accounting unit 05-95-47-4700-3413, classes 505 and 506. These funds shall not be used to provide a rate increase for providers of services paid out of class 529, home health services. \$900,000 (100% general funds) in each year of the biennium to provide a one-time rate increase of up to 5% for elderly and adult non-Medicaid services paid out of accounting unit 05-95-48-4810-7872, classes 512, 540, 541, 544, and 570, as well as accounting unit 05-95-48-4810-9255, classes 544 and 566. \$2,200,000 (50% general funds, 50% federal funds) in each year of the biennium to provide a one-time rate increase of up to 5% over the "board and care" and "board and care and education" rates in place on June 30, 2017 for DCYF residential providers paid out of

accounting unit 05-95-42-4210-2958. \$1,100,000 (100% general funds) in each year of the biennium to provide a one-time rate increase for public guardian services paid out of accounting unit 05-95-92-9220-4114, not to exceed a total rate of \$7.00 per diem. The amounts specified above shall be used exclusively for the purpose of increasing rates paid to direct service providers.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Avard, seconded by Senator Sanborn.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 9. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

HB 517, relative to the function and organization of the department of administrative services risk management unit and division of personnel.

HB 517, as amended, serves as the vehicle for HB 2-FN-A-L.

Ought to Pass with Amendment, Vote 4-2. Senator Daniels for the committee.

Senate Finance

May 24, 2017

2017-2023s

04/01

Amendment to HB 517

Amend the title of the bill by replacing it with the following:

AN ACT relative to state fees, funds, revenues, and expenditures.

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

1 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

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

(a) Accounts receivable;

(b) Accounts payable;

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

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

II. The commissioner of administrative services may establish the number of total personnel required for human resources, payroll and business processing functions in the executive branch of state government and, with the prior approval of the governor and council, may eliminate unnecessary positions and may transfer positions to or from the department of administrative services to or from any other agency if the commissioner of administrative services concludes that such transfers or eliminations are necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll or business processing functions within state government. Such transfers may, if deemed appropriate by the commissioner of administrative services, include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and may, if deemed appropriate by the commissioner of administrative services, include the transfer of any unexpended appropriations for any of the

foregoing, and any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. The department of administrative services may also establish new full-time temporary positions within the department, if the commissioner of administrative services deems it necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll or business processing functions.

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

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

V. Any unspent balance remaining on the \$250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2019. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.

2 New Section; Health Risk Appraisal; Protected Health Information. Amend RSA 21-I by inserting after section 30-e the following new section:

21-I:30-f Health Risk Appraisal. All information contained in a state employee's health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the nondisclosure and other restrictions set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended, and the Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. part 160 and subparts A and E of part 164 ("Privacy Rule").

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

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

5 Appropriation; Department of Administrative Services; State Retiree Health Benefits. The following sums are hereby appropriated from the following sources to the commissioner of the department of administrative services for the purpose of funding state retiree health care expenses for eligible state retirees and spouses who have a date of birth on or before December 31, 1948, for the fiscal years ending June 30, 2018 and June 30, 2019:

FY 2018

All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other
\$264,400	\$30,200	\$147,833	\$33,813	\$7,400	\$6,500	\$38,654

FY 2019

All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other
\$816,000	\$88,400	\$459,754	\$83,835	\$30,100	\$18,800	\$135,111

6 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:

II. The state shall pay a premium ***or partial premium*** for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court, after a duly noticed public hearing on any proposed changes to the plan is held before the fiscal committee, prior to its adoption. Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

7 Department of Administrative Services; State Employees Group Insurance Retiree Medical Benefits; Premium Contribution for Medicare Eligible. Amend RSA 21-I:30, XIII to read as follows:

XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than [12.5] **20** percent.

(b) The commissioner of administrative services shall invoice and collect from retired state employees and/or spouses who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

(c) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

(d) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

8 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than [12.5] **20** percent.

(b) The retirement system shall deduct from the monthly retirement allowance of a retired state employee and/or spouse who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

(c) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

9 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

I. Retired judges and their applicable spouses who are not Medicare eligible and receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than ~~[12.5]~~ **20** percent.

II. ***Retired judges and/or spouses who are eligible for Medicare Parts A and B due to age or disability shall be responsible for payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible retired judges and spouses with a date of birth on or after January 1, 1949.***

III. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

10 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits.

I. Notwithstanding the requirements of RSA 21-I:30, XIII(b), RSA 100-A:54, III(b) and 100-C:11-a, II, effective January 1, 2018 the percentage of premium attributable to each retiree and/or spouse shall be 10 percent and shall continue until such time that the commissioner of administrative services determines it is necessary to seek approval from the fiscal committee to revise that percentage. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

II. Notwithstanding the requirements of RSA 21-I:30, XIII(a), RSA 100-A:54, III(a), and RSA 100-C:11-a, I, effective October 1, 2017 the percentage of premium attributable to each non-Medicare eligible retiree and/or spouse shall be 20 percent and shall continue until such time as the commissioner of administrative services determines it is necessary to seek approval of the fiscal committee of the general court to revise that percentage.

11 New Paragraph; State Retiree Health Care Program; Prescriptions. Amend RSA 21-I:30 by inserting after paragraph XV the following new paragraph:

XVI. The New Hampshire retiree health care program shall not pay for any medications that are available for purchase without a prescription.

12 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2019, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.

13 Judicial Appointments; Number Limited; Conversion Suspended.

I. For the biennium ending June 30, 2019, the number of judges serving on the superior court shall not exceed 21 and the number of full-time judges serving on the circuit court shall not exceed 33.

II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, is hereby suspended for the biennium ending June 30, 2019.

14 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2019, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.

15 References Changed; Resources and Economic Development to Natural and Cultural Resources or Business and Economic Affairs.

I. Amend the following RSA provisions by replacing “resources and economic development” with “natural and cultural resources”: RSA 1:16; 2:1; 2:5; 4:40; 4:43, III; 4-F:1; 6:12, I(b)(9); 6:12, I(b)(13); 6:12, I(b)(46); 6:12-c, II; the chapter heading of 12-A; 12-A:1-a; 12-A:2; 12-A:2-c, I; 12-A:2-d; 12-A:2-i; 12-A:4; the introductory paragraph of 12-A:5, I; 12-A:6; 12-A:9-b; 12-A:9-c; 12-A:10-d; 12-A:10-f, I; 12-A:10-f, IV; 12-A:18; the introductory paragraph of 12-A:21; 12-A:25; 12-A:28; the introductory paragraph of 12-A:29-a; 12-A:29-b, V; 12-A:29-c; 12-B:2; 12-B:4; 12-E:1, III; 12-E:1, XIII; 12-E:4, VI(d); 12-E:6, I; 17-R:1, II(o); 21-I:18, I(e); 21-I:80, I(b); 21-O:5-a, I(c); 21-O:12, II; 21-P:48, I(j); 21-P:48, IV(v); 31:112, I; 36-A:2; 36-A:6;; 78-A:3, III(b); 79:8; 79:10, I(g); 79:11, I; 79:14, II; 79:28-a; 79-A:3, II(e); 100-A:1, VII-a(b); 121:6-a; 125-N:5, I; 154:30-g; 207:31; 212:10; 212:14; 212:19; 214:14-c; 215-A; 215-C; 216; 216-A; 216-D:2; 216-D:4; 216-F:1, I; 216-F:4; 216-F:6; 216-F:7, I(c); 216-H:2; 216-J:2, I(e); 217-A:3; 218:6; 219:21; 227:1; 227:3; 227:8; 227:12; 227:14; 227-B:3, I(g); 227-B:6, V-VI; 227-C:29, I(c); 227-D:2; 227-D:3; 227-D:5; 227-D:6; 227-E:6; 227-G:2; 227-G:3, I(c); 227-J:6, II; 227-K:15; 227-L:5-a; 227-L:28; 227-L:32; 230:76; 231:153; 233:8, I; 233-A:2, I(b); 261:75-c; 265:76; 265:102, I-a; 270:107, III; 276-A:24, I; 380:7; 380:17; 380:18; 430:30, I(c); 430:54, I(c); 430:10; 430:19, II(b); 436-A:1; 482:3, I; 482:48; 482:51; 482-A:3; 482-A:14-a; 482-A:32, II(d); 483:8, II; 483:10, I; 483-A:6, III; 483-B:5, I; 483-B:9, V(a)(2)(D)(vi); 483-B:9, V(b)(2)(A); 483-B:15; 485-A:17; 485-A:22-a; 485-B:1-a; 485-G:2, I(d); and 489:6, I(a).

II. Amend the following RSA provisions by replacing “resources and economic development” with “business and economic affairs”: RSA 6:12-j, V(a)(4); 12-G:43-a, I; 12-G:44, I; 12-I:1, IV; the introductory paragraph of 21-O:19, I(b); 77-E:3-c, I(a); 125-O:5-a, II(e); 126-A:4, V(b)(1); 162-A:13-d, IV(b); 162-B:4, II; 162-L:2, II; 162-L:15, II(d); 162-N; 162-O:1, I; 162-P:1, I; 162-Q:2; 162-Q:3; 187-A:31; 187-A:32, I(a); 188-E:10-b, II(d); 188-E:22, I(d); 188-F:4; 236:86, II; 238:20, I(c); 238-A:4; 425:2-a, II; and 481:3, X-X-a.

16 Department of Natural and Cultural Resources; Establishment. Amend RSA 12-A:1 to read as follows:

12-A:1 Establishment. There shall be a department of *natural and cultural* resources [~~and economic development~~] under the executive direction of a commissioner of *natural and cultural* resources [~~and economic development~~], consisting of a division of forests and lands, [~~a division of economic development which shall include but not be limited to subdivisions of development and promotion, a division of travel and tourism development, and~~] a division of parks and recreation, *a division of libraries, a division of arts, a division of film and digital media, and a division of historical resources, which shall also be known as the state historic preservation office.* [Its] *The department's* purpose shall be to ensure the efficient coordinated function of the [4] **6** divisions, whereby the interests of [~~economic development~~] protection and responsible management of natural *and cultural* resources, public enjoyment of state parks and forests, [~~and promotion of travel and tourism development~~] *the state library, arts, film and digital media, and*

historic resources are each held to be of integral importance in the overall functioning of the department. ***All functions of the former department of cultural resources are hereby transferred, as of July 1, 2017, to the department of natural and cultural resources.***

17 Department of Natural and Cultural Resources; General Provisions. Amend RSA 12-A:1-b to read as follows:

12-A:1-b General Provisions.

I. Upon the recommendation of the commissioner of ***natural and cultural*** resources [~~and economic development~~] after consultation with division directors concerned and the advisory commission established by this chapter, the governor and council are authorized to approve revisions in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, no such change shall eliminate any then existing position within the classified service unless such position shall then be vacant, or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

II. With the approval of the governor and council and of the director of personnel the commissioner of ***natural and cultural*** resources [~~and economic development~~] after consultation with directors of divisions concerned and the advisory commission is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department; provided, however, that no such transfer shall eliminate classified positions so transferred. Vacancies in classified positions occurring after July 1, 1961, in any department functions to be transferred to the new department of resources and economic development shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by the governor and council from department directors, and if no action is taken on these requests within thirty days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position. The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 as hereinabove provided, shall terminate as of June 30, 1963].

18 Department of Natural and Cultural Resources; Powers and Duties RSA 12-A:1-c is repealed and reenacted to read as follows:

12-A:1-c Powers and Duties of Department of Natural and Cultural Resources.

I. The department of natural and cultural resources shall be responsible for the following general functions:

- (a) Providing information services to state government.
- (b) Developing strategies for the conservation, management, and protection of the state's forests and lands and the promotion of the state's parks and recreation resources.
- (c) Developing and coordinating a statewide library service network.
- (d) Stimulating and encouraging public interest and participation in the study and presentation of the performing and fine arts.
- (e) Sponsoring state historic preservation activities.
- (f) Marketing and promotion of film and digital media for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

II. The commissioner shall assign, with the approval of the advisory commission, such duties and functions to the 6 divisions of the department, as in his or her discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by statute.

19 Department of Natural and Cultural Resources; Police Powers. Amend RSA 12-A:1-d to read as follows:

12-A:1-d Police Powers.

I. The commissioner of the department of ***natural and cultural*** resources [~~and economic development~~], the director of the division of parks and recreation, and the director of the division of forests and lands shall have authority as peace officers as provided in RSA 594 and may confer said authority upon certain individuals within the department of ***natural and cultural*** resources [~~and economic development~~], the division of parks and recreation, and the division of forests and lands. Said police powers shall be limited to the enforcement of state laws and rules of the department of ***natural and cultural*** resources [~~and economic development~~]

on lands or property owned by, leased to, or otherwise under the control of the department of *natural and cultural* resources [~~and economic development~~]. Nothing herein shall limit the police powers of employees of the department of *natural and cultural* resources [~~and economic development~~] as provided for in RSA 227-G:7, RSA 215-C:32, and RSA 215-A:16 and 17.

II. By written agreement executed by the commissioner of the department of *natural and cultural* resources [~~and economic development~~], any authorized municipal official may utilize the summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. Authorized municipalities acting under this paragraph shall retain 100 percent of any fine collected in accordance with the schedule of administrative fines of the department of *natural and cultural* resources [~~and economic development~~].

20 New Section; Department of Natural and Cultural Resources; Duties of Commissioner. Amend RSA 12-A by inserting after section 2-j the following new section:

12-A:2-k Duties of Commissioner. In addition to the powers, duties, and functions otherwise vested by law in the commissioner of the department of natural and cultural resources, the commissioner shall:

I. Represent the public interest in the administration of the department and be responsible to the governor, the general court, and the public for such administration.

II. Except as otherwise provided for in this chapter, have the authority to adopt rules, pursuant to RSA 541-A, necessary to assure the continuance or granting of federal funds or other assistance intended to promote library service, the arts, or historic preservation efforts not otherwise provided for by law.

III. Have the authority to establish a unit within the office of the commissioner to provide for internal department administrative functions, including financial, personnel, and other management functions.

IV. Have authority, with regard to the administration of RSA 19-A, and with the approval of a majority of the members of the New Hampshire state council on the arts as established by RSA 19-A:2, to:

(a) Accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the programs established pursuant to RSA 19-A.

(b) Make and sign any agreements and to do and perform any acts that may be necessary, desirable, or proper to carry out the purposes of RSA 19-A.

(c) Request and receive from any department, division, board, bureau, commission, or other agency of the state such assistance and data as will enable the commissioner to carry out properly the powers and duties under this chapter.

(d) Receive funds provided by the National Endowment for the Arts under the National Foundation on the Arts and the Humanities Act of 1965, and under such additional federal legislation and state appropriations as may be enacted.

(e) Allocate and disburse said funds by entering into contracts and agreements with any department, agency, or subdivision of federal, state, county, or municipal government or any individual, foundation, corporation, association, or public authority in order to carry out the purposes of RSA 19-A, subject to approval by the governor and council.

21 Department of Natural and Cultural Resources; Directors of Divisions. Amend RSA 12-A:3 to read as follows:

12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of forests and lands, [~~a director of economic development, a director of travel and tourism development, and~~] a director of parks and recreation, **a director of libraries, a director of arts, a director of film and digital media, and a director of historical resources**, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of 4 years from the date of appointment and until a successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in RSA 12-A:2.

22 Department of Natural and Cultural Resources; Advisory Commission. Amend RSA 12-A:5, III to read as follows:

III. Members of the commission shall be residents of the state of New Hampshire, at least one of whom shall be qualified, experienced, and representative of each of the following:

- (a) ~~[Manufacturing]~~ ***Fine arts***;
- (b) Agriculture;
- (c) Recreation;
- (d) Forestry;
- (e) The general public;
- (f) ~~[Commerce]~~ ***History or historical resources***; and
- (g) Public relations.

23 Director of Division of Forests and Lands. Amend RSA 12-A:9-a, I to read as follows:

I. ~~[The]~~ ***There shall be a*** director of ~~[the division of resources development in office on the effective date of this section shall continue in office as director of]~~ the division of forests and lands subject to the provisions of this chapter. ~~[His]~~ ***The director's*** tenure and salary shall be as ~~[has been established for the director of the division of resources development. All of the powers, duties and functions heretofore performed by the director of the division of resources development pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of forests and lands subject to the provisions of this chapter. Wherever reference is made to the director of the division of resources development, it shall henceforth be construed to mean the director, division of forests and lands, department of resources and economic development]~~ ***established in this chapter.***

24 Director of Parks and Recreation. Amend RSA 12-A:10 to read as follows:

12-A:10 Director of Parks ***and Recreation***; ~~[Initial Appointment and Tenure]~~. ~~[The director of recreation in office on the effective date of this act shall continue in office as]~~ ***There shall be a*** director of the division of parks ***and recreation*** subject to the provisions of this ~~[act]~~ ***chapter.*** ~~[His]~~ ***The director's*** tenure and salary shall be as herein established for the director of the division of parks ***and recreation.*** All of the powers, duties, and functions ~~[heretofore]~~ ***formerly*** performed by the director of recreation pursuant to any provision of the statutes shall henceforth be performed by the director of parks ***and recreation*** subject to the provisions of this ~~[act]~~ ***chapter.*** Wherever reference is made to the director of recreation in any provision of the statutes it shall henceforth be construed to mean the director, division of parks ***and recreation***, within the department of ***natural and cultural*** resources ~~[and economic development]~~.

25 Division of Parks and Recreation. Amend RSA 12-A:10-a to read as follows:

12-A:10-a Division of Parks ***and Recreation***; Transfer of Functions, Powers, Duties. All of the functions, powers, duties, personnel, records, and property of the ***former*** division of parks are hereby transferred to the division of parks and recreation of the department of ***natural and cultural*** resources ~~[and economic development]~~. Whenever reference is made to the division of parks in the statutes, it shall henceforth be construed to mean the division of parks and recreation.

26 Director of Parks and Recreation. Amend RSA 12-A:10-b to read as follows:

12-A:10-b Director of Parks and Recreation; Initial Appointment and Tenure. ~~[The director of the division of parks in office on the effective date of this section shall continue in office as]~~ ***There shall be a*** director of the division of parks and recreation subject to the provisions of this chapter. ~~[His]~~ ***The director's*** tenure and salary shall be as has been established ~~[for the director of the division of parks]~~ ***in this chapter.*** All of the powers, duties, and functions ~~[heretofore]~~ ***formerly*** performed by the director of the division of parks pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of parks and recreation subject to the provisions of this chapter. Wherever reference is made to the director of the division of parks, it shall henceforth be construed to mean the director, division of parks and recreation, department of ***natural and cultural*** resources ~~[and economic development]~~.

27 Reference Deleted. Amend RSA 12-A:10-e, VIII to read as follows:

VIII. Work collaboratively with the division of historical resources ~~[in the department of cultural resources]~~, in the management of the state historic sites and the development of interpretive and visitor programs for students and the general public that will build ongoing recognition and appreciation for the state's historic sites.

28 New Sections; Department of Natural and Cultural Resources; Divisions. Amend RSA 12-A by inserting after section 10-f the following new sections:

12-A:10-g Division of Libraries; Transfer of Functions, Powers, Duties. The division of libraries, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of libraries in the statutes, it shall henceforth be construed to mean the division of libraries in the department of natural and cultural resources.

12-A:10-h Division of Libraries; State Librarian. The division of libraries, which shall also be known as the state library, shall be under the supervision of an unclassified director of libraries, who shall also be known as the state librarian, and who shall be responsible for the following functions in accordance with applicable law:

I. Operating a state library in order to provide general and specific reference services, including, but not limited to, services designed to assist the general court and the judicial branch.

II. Operating the New Hampshire automated information system as provided for by RSA 201-A:22, I.

III. Promoting and coordinating a statewide library system.

IV. Providing for library services for persons with disabilities.

V. Otherwise administering the provisions of RSA title XVI.

VI. Administering, with advice of the state library council, all federal funds collected under RSA 201-A:13.

12-A:10-i Division of Arts; Transfer of Functions, Powers, Duties. The division of arts, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of arts in the statutes, it shall henceforth be construed to mean the division of arts in the department of natural and cultural resources.

12-A:10-j Division of Arts; Duties of Director. There is hereby established within the department the division of the arts, under the supervision of an unclassified director of arts. The director of arts shall have either a masters degree in art administration and 3 years of experience in nonprofit arts administration or at least 5 years' experience administering a major arts organization or at least 5 years' experience in public administration of a major program within a local, state, or federal arts agency. The director of arts shall be responsible for administering the provisions of RSA 19-A, with the primary goal of supporting and promoting the arts in all of their manifestations.

12-A:10-k Division of Historical Resources; Transfer of Functions, Powers, Duties. The division of historical resources, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of historical resources in the statutes, it shall henceforth be construed to mean the division of historical resources in the department of natural and cultural resources.

12-A:10-l Division of Historical Resources; Director. There is hereby established within the department the division of historical resources, which shall also be known as the state historic preservation office, under the supervision of an unclassified director of historical resources. The director of historical resources shall be responsible for administering the state historic preservation program in accordance with RSA 227-C.

12-A:10-m Division of Film and Digital Media Established. There is hereby established within the department the division of film and digital media, which shall also be known as the state film office, under the supervision of an unclassified director of film and digital media, with the primary goal of marketing and promotion of film, video, and digital media production for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

29 New Section; Commission on Native American Affairs. Amend RSA 12-A by inserting after section 14 the following new section:

12-A:14-a New Hampshire Commission on Native American Affairs Established.

I. In order to recognize the historic and cultural contributions of Native Americans to New Hampshire, to promote and strengthen their own heritage, and to further their needs through state policy and programs, there is hereby established the New Hampshire commission on Native American affairs.

II. The commission shall consist of 15 members who derive from geographically diverse areas of the state and are representative of the diverse groups, organizations, and individuals knowledgeable about Native American history, culture, and affairs as follows:

(a) The director or designee of the division of travel and tourism development, department of business and economic affairs.

(b) The director or designee of the Native American Program at Dartmouth College.

(c) An archaeologist appointed by the director of the division of historical resources.

(d) The director or designee of the state council on the arts.

(e) Eleven members from the public at large, who shall be representatives from the Native American community, appointed by the governor from recommendations prepared by the director of the division of historical resources. All interested individuals shall submit a letter to the director of the division of historical resources stating why they wish to be considered and their qualifications accompanied by 3 letters of recommendation.

III. Each member of the commission shall serve a 3-year term, and no member shall serve more than 2 consecutive terms. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment was made but for the unexpired term only. Initial appointments by the governor shall be for staggered terms of one, 2, or 3 years. Members of the commission shall serve without compensation.

IV. For voting purposes a quorum shall be 9 members.

V. At the first meeting, which shall be called by the first named member of the commission within 45 days after the completion of the naming of the commission members, members of the commission shall elect a chairman, secretary, and treasurer. Officers shall be elected for a one-year term but may be elected to serve an additional term. All officers of the commission shall be elected by a majority vote of the members.

VI. The commission shall:

(a) Review and study local, state, and federal issues common to Native Americans and persons of Native American descent who are residing in this state.

(b) Develop recommendations to assist state agencies with the preservation and protection of Native American artifacts and burial grounds under the Native American Graves Protection and Repatriation Act of 1990, P.L. 101-601.

(c) Assist Native American groups, organizations, and individuals in New Hampshire with:

(1) Securing social services, education, employment opportunities, health care, housing, cultural opportunities, and census information as available at both the state and federal levels, including assistance in determining eligibility for the Indian Child Welfare Act of 1978, 25 U.S.C. section 1902 et seq.

(2) Establishing and/or continuing programs concerning Native American history, culture, and affairs, including those offered through the United States Department of Education Office on Indian Education pursuant to Title VII of the Elementary and Secondary Education Act established in 1972.

(3) Promoting and strengthening the creation, display, and sale of Native American arts and crafts, and providing educational information to artisans and marketing outlets promoting the legal labeling of such products as Indian or Native American produced, as provided in 18 U.S.C. section 1159(c)(3)(B) and 25 U.S.C. section 305e(d), as well as determining eligibility for the Indian Arts and Crafts Act of 1990, P.L. 101-644, and receiving assistance and support from the Indian Arts and Crafts Board, as provided in 25 U.S.C. section 305 et seq.

VII. The commission shall meet at least 4 times a year and at any other times at the request of the chairperson or by 7 members of the commission. Notice of all meetings and minutes of such meetings shall be posted on the New Hampshire department of natural and cultural resources website.

VIII. The commission may accept any gifts, grants, or donations from any public or private source, provided that such gifts, grants, or donations shall be used exclusively to advance the commission's purpose and duties. Information concerning the receipt of any gifts, grants, or donations shall be posted on the department of cultural resources website.

IX. Beginning November 1, 2011, and each year thereafter, the commission shall submit an annual report of its activities, findings, and recommendations to the governor, the speaker of the house of representatives,

the senate president, the commissioner of the department of natural and cultural resources, and the state library. The annual report shall be approved by a majority vote of the commission and shall be posted on the department of natural and cultural resources website.

X. The commission shall be administratively attached to the department of natural and cultural resources.

XI. Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. The authority to grant state tribal status or recognition under section 104 of the Indian Arts and Crafts Act of 1990, 18 U.S.C. section 1159(c)(3)(B), is reserved solely to the New Hampshire general court.

30 New Section; Film and Television Commission. Amend RSA 12-A by inserting after section 41-a the following new section:

12-A:41-b New Hampshire Film and Television Commission Established; Members; Duties.

I. There is established a New Hampshire film and television commission within the department of natural and cultural resources. The purposes of the commission shall be:

(a) To promote the economic development of the film and television industry in New Hampshire.

(b) To promote the utilization of location sites by the film and television industry in the state of New Hampshire.

(c) To increase the use of New Hampshire hotels, restaurants, and local businesses by visiting film and television production companies.

II. The commission shall:

(a) Identify opportunities for activities related to the film and television industries.

(b) Recommend both long-range and short-term programs that will result in economic gain for the state.

(c) Educate state, local, and private officials and organizations regarding the benefits and rewards that can result from increased development of this industry.

(d) Secure sites, as appropriate, within the state suitable for filming by the motion picture industry, the television industry, independent film producers, and other filmmakers.

III. Members of the commission shall be as follows:

(a) Five members appointed by the commissioner of the department of natural and cultural resources:

(1) Three members representing the film and television industry.

(2) Two members of the general public with an interest in the film industry.

(b) The commissioner of the department of natural and cultural resources, or designee.

(c) The commissioner of safety, or designee.

(d) The executive director of the fish and game department, or designee.

(e) A representative of the New Hampshire Association of Chamber of Commerce Executives, appointed by that organization.

(f) A representative the New Hampshire Municipal Association, appointed by that organization.

(g) A representative of the New Hampshire Police Chiefs' Association, appointed by that organization.

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

(i) A member of the house of representatives, appointed by the speaker of the house of representatives.

IV. Members appointed under subparagraph III(a) shall serve as voting members of the commission; all other members shall serve as nonvoting members of the commission. The term of office for members shall be 3 years and until a successor is appointed, except that members of the executive branch and legislature shall serve a term coterminous with their appointment or term in office. The initial members of the commission shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. The members of the commission shall serve without compensation, but shall be reimbursed for necessary travel and other necessary expenses. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The members shall annually elect a person from among its membership to act as chairperson.

VI. The department of natural and cultural resources shall cooperate with the commission and shall provide necessary information and staff support.

31 Reference Changed. Amend RSA 21-Q:1 to read as follows:

21-Q:1 State Promotional Initiatives. In consultation with the New Hampshire film and television commission, established in RSA ~~[21-K:23]~~ **12-A:41-b**, a state agency that contracts with the private sector for the use of film or video in an advertising, promotional, or educational program shall use New Hampshire talent whenever possible. In this section, "New Hampshire talent" means the people used both in front of and behind the camera associated with the film and television industry.

32 Reference Changed. Amend RSA 201-A:1 to read as follows:

201-A:1 State Library. There shall be a state library as provided for in RSA ~~[21-K:5]~~ **12-A:10-h**. The state library shall be the official clearinghouse of state government information.

33 Reference Changed. Amend RSA 227-C:2 to read as follows:

227-C:2 State Historic Preservation Office. The division of historical resources, department of *natural and* cultural resources established by RSA ~~[21-K:7]~~ **12-A:10-l** shall also be known as the state historic preservation office. The director, division of historical resources shall also be known as the state historic preservation officer.

34 Reference Changed. Amend RSA 238:23, I to read as follows:

I. The commissioner of the department of transportation, with the advice of the commissioner of ~~[the department of resources and economic development and the commissioner of]~~ the department of *natural and* cultural resources, is authorized to apply for and accept gifts, grants, donations, and contributions from any source, public or private, in the name of the state and to provide for technical and administrative support consistent with the resources provided to the program under this section. Any moneys accepted shall be continually and solely appropriated for the purpose of this subdivision.

35 Conservation Number Plate Fund. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate fund under the administration of the commissioner of safety. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The commissioner of safety shall distribute the funds annually on August 1, except as provided in paragraph I-a, as follows: \$5,000 of every \$100,000 received, up to a total of \$50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting lilacs and native wild flowers; \$1 for every new, renewal, and transfer of registration, up to a total of \$50,000, shall be placed in a nonlapsing account for use by the department of *natural and cultural* resources ~~[and economic development]~~ to promote the conservation number plate program; the remainder shall be distributed ~~[equally among]~~ **as follows:**

(a) **Forty percent to** the department of *natural and* cultural resources[;];

(b) **Twenty percent to** the department of fish and game~~[the department of resources and economic development;];~~

(c) **Twenty percent to** the state conservation committee[;]; and

(d) **Twenty percent to** the New Hampshire land and community heritage investment authority.

36 Conservation Number Plates; Use of Funds. Amend RSA 261:97-c, I to read as follows:

I. The funds transferred to the department of *natural and* cultural resources shall be used to promote the use and conservation of cultural resources in New Hampshire and to preserve the cultural heritage that belongs to all New Hampshire citizens by providing for:

(a) The preservation of significant publicly-owned historic properties. Such properties shall be at least 50 years old and listed or eligible for listing in the National Register of Historic Places.

(b) The conservation and preservation of significant publicly-owned works of art, artifacts, and documents that contribute to New Hampshire's cultural heritage. This shall include but not be limited to:

(1) Commemorative and historic sculptures and murals.

(2) Archaeological or historic artifacts.

(3) Original or one-of-a-kind documents.

(c) The purchase by the state of historic properties or works of art, artifacts, and documents that contribute to New Hampshire's cultural heritage.

(d) Support of the New Hampshire natural heritage bureau established in RSA 217-A, within the division of forests and lands. Funds may be used for:

(1) Management measures, including applied field research, necessary to maintain and promote native plant species, natural plant communities, and species and habitat protection and management.

(2) Providing information to resource professionals, landowners, and school children to enhance awareness and promote protection of New Hampshire's native plant species and natural plant communities.

(e) Within the division of parks and recreation, the restoration of historic sites and buildings on New Hampshire state parks land.

(f) Promotion of the conservation number plate program.

37 Conservation Number Plates; Report. Amend RSA 261:97-f, I to read as follows:

I. The members representing the department of transportation, the department of ***natural and*** cultural resources, the department of fish and game, the state conservation committee, [~~the department of resources and economic development,~~] and the department of safety shall each submit a report to the New Hampshire conservation number plate advisory committee chairperson no later than October 1 of each year. The committee chairperson shall compile the 6 reports as a unified report and submit the unified report to the governor, senate president, and the speaker of the house no later than December 31 of each year.

38 Repeal. The following are repealed:

I. RSA 6:12, I(b)(222), relative to the department of cultural resources donations fund.

II. RSA 12-A:1-e, relative to joint promotional program.

III. RSA 12-A:2-e, relative to the New Hampshire economic development fund.

IV. RSA 12-A:2-f, relative to the review committee for the New Hampshire economic development fund.

V. RSA 12-A:2-g, relative to the New Hampshire-Canadian trade council.

VI. RSA 12-A:2-h, relative to international trade promotion.

VII. RSA 12-A:2-j, relative to workforce development.

VIII. RSA 12-A:7, relative to the planning and development commission.

IX. RSA 12-A:8, relative to the forestry and recreation commission.

X. RSA 12-A:8-a, relative to the division of resources development.

XI. RSA 12-A:13, relative to northern county area industrial agent.

XII. RSA 12-A:15-a, relative to the travel and tourism revolving fund.

XIII. RSA 12-A:22, relative to director of economic development.

XIV. RSA 12-A:22-a, relative to economic development advisory council.

XV. RSA 12-A:23, relative to New Hampshire tourism policy.

XVI. RSA 12-A:30, relative to the advisory committee on international trade.

XVII. RSA 12-A:31, relative to the international trade promotion fund.

XVIII. RSA 12-A:32, relative to the economic development matching grants program.

XIX. RSA 12-A:33, relative to reports on economic development program loans and grants.

XX. RSA 12-A:34, relative to requirement for review of reports.

- XXI. RSA 12-A:35, relative to limitation on application.
- XXII. RSA 12-A:36, relative to small business innovation research support.
- XXIII. RSA 12-A:37, relative to recognition of federal grant recipients.
- XXIV. RSA 12-A:38, relative to matching grants.
- XXV. RSA 12-A:39, relative to seminars.
- XXVI. RSA 12-A:40, relative to grant information.
- XXVII. RSA 12-A:43, relative to duties of director of travel and tourism development.
- XXVIII. RSA 12-A:43-a, relative to the travel and tourism development fund.
- XXIX. RSA 12-A:43-b, relative to rest areas and welcome centers.
- XXX. RSA 12-A:45, relative to telecommunications planning and development initiative.
- XXXI. RSA 12-A:45-a, relative to telecommunications planning and development fund.
- XXXII. RSA 12-A:46, relative to telecommunications planning and development advisory committee.
- XXXIII. RSA 12-A:47, relative to statutory construction related to telecommunications.
- XXXIV. RSA 12-A:48, relative to authority of director of travel and tourism development to acquire information.
- XXXV. RSA 12-A: 49, relative to confidentiality.
- XXXVI. RSA 12-A:51, relative to establishment of job training program for economic growth.
- XXXVII. RSA 12-A:52, relative to the purpose of job training program for economic growth.
- XXXVIII. RSA 12-A:53, relative to job training programs.
- XXXIX. RSA 12-A:54, relative administration and review committee.
- XL. RSA 12-A:55, relative to eligibility for training grants.
- XLI. RSA 12-A:56, relative to eligible costs.
- XLII. RSA 12-A:57, relative to training facilities.
- XLIII. RSA 12-A:58, relative to performance reports.
- XLIV. RSA 12-A:59, relative to technology development and communications planning.
- XLV. RSA 12-A:59-a, relative to director of broadband technology planning and development.
- XLVI. RSA 12-A:60, relative to New Hampshire workforce opportunity council.
- XLVII. RSA 12-A:61, relative to New Hampshire workforce opportunity fund.
- XLVIII. RSA 12-A:62, relative to economic development strategy and plan.
- XLIX. RSA 12-A:63, relative to definitions.
- L. RSA 12-A:64, relative to goals and objectives.
- LI. RSA 12-A:65, relative to content of the economic development strategy and plan.
- LII. RSA 12-A:66, relative to annual report.
- LIII. RSA12-A:67, relative to division of economic development fund.
- LIV. RSA 21-K, relative to the department of cultural resources.
- LV. RSA 261:97-c, IV, relative to conservation number plate funds.
- LVI. RSA 261:97-d, I(d), relative to the conservation number plate advisory committee.
- LVII. RSA 4-F:1, II(a)(11), relative to GIS committee members.

39 References Changed; Cultural Resources to Natural and Cultural Resources. Amend the following RSA provisions by replacing “cultural resources” with “natural and cultural resources”: 4:8-a, I; 4:9-c, I(i); 4-F:1,

II(a)(4); 6:12-j, V(d)(1); 12-A:10-e, VIII; 17-R:1, II(n); 19-A:5, IV; 19-A:8, II; 19-A:10, IV; 79-D:14, II; 79-G:3, IV(b); 94:1-a, I(b) grades DD and GG; 201-A:22, I; 201-A:23, II; 201-B:3; 201-D:1, IV; the introductory paragraph of 201-E:7; 202-A:12; 202-A:18; 202-A:19; 216-A:3-c, V; 227-C:1; the introductory paragraph of 227-C:5; 227-C:12-a, II(g); 227-C:28, II; 227-C:29, I(a); 227-C:31; 227-C:33, I; 261:97-d, I(a); and 634:1, V(d).

40 Transition; Commission on Native American Affairs; Film and Television Commission. The New Hampshire commission on Native American affairs and the New Hampshire film and television commission established in RSA 12-A:14-a and RSA 12-A:41-a shall operate as continuations of the commissions established under former RSA 21-K. Appointments and terms of office of members under RSA 21-K shall continue for the remainder of the terms upon constitution of the commissions under RSA 12-A.

41 New Chapter; Department of Business and Economic Affairs. Amend RSA by inserting after chapter 12-N the following new chapter:

CHAPTER 12-O

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

12-O:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of business and economic affairs.

II. "Department" means the department of business and economic affairs.

12-O:2 Establishment; Purpose.

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of a division of economic development which shall include but not be limited to a bureau of workforce development, and a division of travel and tourism development which shall include but not be limited to a bureau of visitor service. The commissioner is authorized to establish or eliminate additional bureaus within either division. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

II. The purpose of this chapter is to improve the administration of state government by providing unified direction of policies, programs, and personnel in the field of economic development and travel and tourism development making possible increased efficiency and economies from integrated administration and operation of these related functions of the state government.

12-O:3 General Provisions.

I. Upon the recommendation of the commissioner the governor and council are authorized to approve revisions in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department.

II. With the approval of the governor and council and of the director of personnel, the commissioner of business and economic affairs is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department.

12-O:4 Powers and Duties of Department. In addition to any other powers and duties set forth in this chapter or as otherwise provided by statute, the department of business and economic affairs shall have the power and duty to plan and conduct a program of information and publicity to attract tourists, visitors, industrial concerns, and other interested persons from outside the state to the state of New Hampshire, and to encourage, coordinate, and participate in the efforts of other public and private organizations or groups of citizens in order to publicize the facilities, industrial advantages, and other attractions of the state for the same purposes. The commissioner shall assign such duties and functions as in her or his discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by statute. The department is authorized to set its logo and to establish and maintain any websites.

12-O:5 Commissioner of Business and Economic Affairs. There shall be a commissioner of business and economic affairs who shall be appointed by the governor and council and shall serve until removed by the governor. It shall be the responsibility of the commissioner to organize and direct the work of the department, subject to the direct supervisory authority of the governor. The commissioner shall appoint one member of his or her staff who shall act in the commissioner's stead when said commissioner is absent from the state and at such other times as directed by the commissioner. When acting for the commissioner said person shall have

all the power, duties, and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to establish any advisory commissions and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

12-O:6 Reports and Publications. The commissioner of business and economic affairs is authorized to prepare, publish, and distribute reports, charts, surveys, or other documents consistent with the responsibilities of the department. The commissioner may charge reasonable fees for such documents. Fees for documents distributed by the department shall be adopted as rules under RSA 541-A.

12-O:7 Council of Partner Agencies Established.

I. There shall be a council of partner agencies to assist and advise the commissioner of business and economic affairs which shall consist of the following members:

- (a) The executive director of the business finance authority.
- (b) The chancellor of the community college system.
- (c) The Executive director of the community development finance authority.
- (d) The executive director of the New Hampshire housing finance authority.

II. The council shall develop bylaws to guide its operations.

III. The commissioner of the department of business and economic affairs shall chair the council.

12-O:8 Council of Partner Agencies; Duties. The council established in RSA 12-O:7 shall consult with and advise the commissioner of business and economic affairs with respect to the policy, programs, and operations of the department upon a continuing basis and for said purposes shall meet with the commissioner not less frequently than quarterly. Each agency represented on the council shall make reasonable efforts to coordinate its economic development activities with those of the department, provided that nothing in this section shall be construed to deprive represented agencies of their authority to operate autonomously. The council shall submit to the governor and council biennially a written report of the activities of the department covering the previous 2 calendar years, which report shall be a public document. A nonpublic session of the council may be called at any time for any of the reasons specified in RSA 91-A:3, II upon majority vote and shall consist solely of the members thereof.

12-O:9 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of economic development and a director of travel and tourism development, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of 4 years from the date of appointment and until a successor is appointed and qualified. The directors of the divisions of economic development and travel and tourism development who are in office on the effective date of the transfer of those divisions to the department of business and economic affairs shall serve for the remainder their terms, at which time they may be reappointed in accordance with the provisions of this chapter. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in RSA 12-O:5.

12-O:10 Salaries. The annual salaries of the commissioner of business and economic affairs, and of the directors of the divisions, shall be as provided in RSA 94.

12-O:11 Division of Travel and Tourism Development; Transfer of Functions, Powers, and Duties. All of the functions, powers, duties, personnel, records, and property of the division of travel and tourism development of the former department of resources and economic development are hereby transferred to the division of travel and tourism development of the department of business and economic affairs. Whenever reference is made to the division of travel and tourism development in the statutes, it shall henceforth be construed to mean the division of travel and tourism development of the department of business and economic affairs.

12-O:12 Division of Economic Development; Transfer of Functions, Powers, and Duties. All of the functions, powers, duties, personnel, records, and property of the division of economic development are hereby transferred from the former department of resources and economic development to the division of economic development of the department of business and economic affairs. Whenever reference is made to the division of economic development in the statutes, it shall henceforth be construed to mean the division of economic development of the department of business and economic affairs.

12-O:13 Travel and Tourism Revolving Fund; Transfer; Functions.

I. The travel and tourism revolving fund in the former department of resources and economic development is hereby transferred to the department of business and economic affairs. The fund is hereby established as a nonlapsing revolving fund. The revolving fund shall be used for, but not be limited to, cooperative efforts with the private sector, for the purpose of bulk brochure distribution, familiarization tours, promotional programs, trade shows, and other projects generally recognized as beneficial to promoting the state of New Hampshire.

II. All income received from participation in cooperative promotional programs, familiarization tours, trade shows, brochure distribution projects, and other promotional opportunities which become available, shall be deposited into the fund.

III. The commissioner of the department of business and economic affairs shall submit a report detailing the activities of the revolving fund annually to the governor and council and the fiscal committee of the general court within 60 days of the close of each fiscal year.

12-O:14 New Hampshire Tourism Policy. It is the intent of the general court that all agencies and departments of state government and, specifically, the director of travel and tourism development, under the supervision of the commissioner of business and economic affairs, shall implement their statutory responsibilities in a manner consistent with promoting and encouraging the orderly growth and development of tourism within the state. This policy shall include efforts to:

I. Foster awareness and appreciation of New Hampshire's natural, historical, cultural, and scenic resources among its residents.

II. Instill a better understanding among New Hampshire residents and also state employees of the importance of tourism to the state economy.

III. Establish and maintain a database on matters concerning state tourism research.

IV. Encourage fairs, conventions, trade shows, and other expositions of hospitality and friendliness toward visitors.

V. Protect and preserve wildlife, natural resources, and geological, archaeological, and cultural treasures within the state for the enjoyment of residents and nonresidents.

VI. Support tourism by developing an essential tourism infrastructure, including, but not limited to, adequate highways and public transportation networks and facilities for the traveling public.

VII. Encourage, assist, and coordinate, when possible, the tourism activities of local and regional promotional organizations.

VIII. Encourage law enforcement personnel to assist, whenever possible, the traveling public by providing them with a hospitable reception and appropriate information.

IX. Ensure, when feasible, equal access by visitors and residents to public recreational resources.

X. Ensure that the interest of tourism is fully considered by state agencies and the general court in its deliberations.

XI. Harmonize, to the maximum extent, all state activities in support of tourism with the needs of the general public, the state and its political subdivisions, and the tourism industry. Any conflicts among the agencies and departments of the state in the implementation of their responsibilities under this section shall be referred to the council on resources and development established by RSA 162-C.

XII. Utilize tourism activities and resources as resident recruitment tools for the state.

12-O:15 Director of Travel and Tourism Development; Duties. The director of travel and tourism development, under the supervision of the commissioner of business and economic affairs and consistent with the New Hampshire tourism policy under RSA 12-O:14, shall:

I. Promote New Hampshire as a domestic and international travel destination in order to increase visitation and travel expenditures, business activity, and employment throughout the state.

II. Develop and administer programs to encourage and promote the development of the tourism industry in the state.

III. Provide information and assistance to local and regional officials on matters related to travel and tourism and encourage the development of locally coordinated programs.

IV. Encourage partnerships among the tourism industry, business and industry, and state and local officials to expand the state's travel promotion strategy.

V. Raise the perception of travel and tourism in the minds of New Hampshire residents, businesses, and government.

VI. Conduct research to measure the effectiveness of promotional programs.

VII. Ensure that New Hampshire maintains a high quality tourism experience for the visitor by working with the travel industry on ways to utilize natural, historical, cultural, and recreational attractions and facilitating statewide activities which can be used as resources by the travel industry.

VIII. Perform any other duties and functions as assigned by the commissioner.

12-O:16 Travel and Tourism Development Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the travel and tourism development fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of promoting and developing appropriate travel and tourism initiatives through the division of travel and tourism development and shall not be used for any other purpose. The director of travel and tourism development shall oversee expenditures from the fund. The moneys in the fund shall be nonlapsing and shall be continually appropriated to the department of business and economic affairs.

II. The commissioner shall prepare an annual report to be presented no later than December 1 of each year to the governor and council, the fiscal committee of the general court, the president of the senate, and the speaker of the house of representatives. The report shall detail the specific activities supported by, and expenditures from, the fund during the past year and shall additionally detail the activities of the travel and tourism revolving fund established in RSA 12-O:13.

12-O:17 Joint Promotional Program. A joint promotional advertising program is hereby established to carry out the duties of the department of business and economic affairs as set forth in RSA 12-O:4 to publicize the advantages of the state of New Hampshire for tourism and to encourage continuous partnership with private industry in this promotion in order to maintain a viable and strong economic base in the state.

I. The department shall administer a joint promotional advertising program. The funds appropriated for this program shall be expended for grants for advertising programs entered into with independent groups or organizations which are designed to promote travel and tourism in the state of New Hampshire.

II. Funds appropriated to the joint promotional program shall only be made available to regional associations, statewide tourist groups, chambers of commerce, or other promotional organizations with the approval of the commissioner. Such grants shall only be given to those organizations which have been in existence for at least 3 years prior to the date of the grant application.

III. Grant awards shall require 50 percent matching funds from private sources. Grants shall not be used for the administrative salaries or overhead expenses of any applicant selected for a grant.

IV. Grant applications shall be reviewed by appropriate staff which shall recommend approval or disapproval of applications to the commissioner of business and economic affairs. A recommendation for disapproval by the commissioner shall be in writing with the reasons for disapproval stated.

V. Funds appropriated for the joint promotional program for the first fiscal year of any biennium shall not lapse and shall be available for expenditure during the second fiscal year of the biennium. All funds which have not been expended by the end of the second fiscal year of a biennium shall lapse to the general fund.

VI. The commissioner shall adopt rules under RSA 541-A after public hearing governing the joint promotional program. These rules shall include:

- (a) A description of the joint promotional program, stating the general course and method of its operations and the methods by which the public may obtain information or make submissions or requests;
- (b) The procedures and criteria used to certify groups or organizations eligible for matching grants;
- (c) The application process, including the information required of applicants;
- (d) The procedures and criteria used to evaluate grant applications; and
- (e) Procedures for the administration of grants by recipients including reporting requirements.

VII. Three percent of the funds appropriated to the joint promotional program shall be allocated for a grant or grants to organizations that do not qualify under paragraph II. Such grants shall require 10 percent matching funds from private sources, provided that the organization:

- (a) Has a demonstrated program of cooperation for promotion;
- (b) Has a demonstrated need for promotion;
- (c) Has demonstrated a case of regional depression or financial hardship;
- (d) Agrees that this unmatched grant shall not be awarded for more than 2 successive years; and

(e) Further agrees that the affected area shall not be eligible for any unmatched grant for a period of 5 years after the second year following the award of the first of any unmatched grant.

12-O:18 Rest Areas and Welcome Centers.

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

II. Notwithstanding paragraph I, the department of transportation and the liquor commission may undertake and/or participate in the development of the welcome centers in Hooksett on the northbound and southbound lanes of Interstate Route 93 as authorized by the legislature.

12-O:19 Package Plan Program; Recreational Facilities.

I. As used in this section the following words and terms shall have the following meanings:

(a) "Voluntary corporation," a corporation organized under RSA 292, dedicated by its articles of agreement and bylaws to serve and promote the recreational interests of the state of New Hampshire or a section thereof and which may number among its members certain corporations actively engaged in developing and promoting recreational facilities in the state of New Hampshire.

(b) "Package plan program," a method of selling tickets by which the department, in conjunction with a voluntary corporation, offers for sale to the general public interchangeable or reciprocal tickets for services and accommodations, or both, in connection with recreational facilities of both the state and the voluntary corporation or any of its members. The charges for services and accommodations when sold in this manner may be less than when sold individually.

II. The department of business and economic affairs may participate in package plan programs with voluntary corporations as defined in this section, and businesses within the tourism industry. Notwithstanding any other provision of law, this participation may include entering into such agreements with voluntary corporations and businesses within the tourism industry as are in the best interests of the state, which agreements may relate to the development, promotion, administration, and sales of package plan programs. Such agreements shall permit the department of business and economic affairs to provide to the voluntary corporation and businesses within the tourism industry a mutually agreed upon number of tickets or vouchers for tickets at a mutually agreed upon discounted rate in order to participate in the package plan program for promotional purposes or in lieu of dues to the voluntary corporation. Any revenue derived by participation in package plan programs payable to the department of business and economic affairs in accordance with such agreements shall be deposited with the state treasurer in the same manner as regular ticket sales. The commissioner of the department of business and economic affairs shall make annual reports on revenue derived from participation in package plan programs to the senate president, the speaker of the house, and governor and council by January 31 following the close of each fiscal year.

12-O:20 Director of Economic Development; Duties. The director of economic development, under the supervision of the commissioner of business and economic affairs shall:

I. Establish and maintain a database on matters related to the economy of the state and its economic development.

II. Plan, develop, and administer programs to assist in the maintenance and expansion of existing industry and business in the state.

III. Plan, develop, and administer programs to encourage and promote the development of new industry and business in the state.

IV. Provide information and assistance to local and regional officials on matters related to economic development and encourage the establishment of local development plans and programs.

V. Research and analyze information on matters related to the economic development of the state to support and evaluate the effectiveness of promotional and assistance programs.

VI. Prepare a written economic development strategy and operating plan as required by RSA 12-O:24 through 12-O:28.

VII. Establish a small business innovation research support program pursuant to RSA 12-O:45 through 12-O:49.

VIII. Plan, develop, and administer programs to assist in the implementation of the Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, implement the state plan established by the governor and the Workforce Opportunity Council, and perform the following additional functions:

- (a) Through the youth council, select youth providers of training services in the local areas.
- (b) Identify eligible providers of training services in the local area.
- (c) Identify eligible providers of intensive services, if not otherwise provided by the One-Stop operator.
- (d) Develop a budget for carrying out the duties of the Workforce Opportunity Council, subject to the approval of the commissioner.
- (e) Oversee local programs of youth activities, local employment, and training service.
- (f) Establish, in conjunction with the commissioner, local performance measures.
- (g) Assist the commissioner in developing statewide employment statistics systems described in the Wagner-Peyser Act.
- (h) Coordinate workforce investment activities authorized and implemented within the state with economic development strategies, and develop the employer linkages with such activities.
- (i) Make available to the public, on a regular basis through open meetings, information regarding Workforce Opportunity Council activities including information regarding the state plan prior to its submission, and information regarding membership, the designation and certification of One-Stop operators and the award of grants or contracts to eligible providers of youth activities and, as requested, minutes of formal meetings of the Workforce Opportunity Council.
- (j) Review the operation of programs and the availability, responsiveness, and adequacy of state services, and make recommendations to the governor, appropriate chief elected officials, service providers, the legislature, and general public with respect to steps to improve the effectiveness of these services and programs.
- (k) Review plans of all state agencies providing employment training, and related services, and provide comments and recommendations to the governor, the legislature, the state agencies, and appropriate federal agencies on the relevancy and effectiveness of employment and training and related services delivery system in the state.

IX. Perform any other duties and functions as assigned by the commissioner.

12-O:21 New Hampshire Economic Development Fund.

I. There is hereby established the New Hampshire economic development fund which shall be administered by the commissioner of the department of business and economic affairs. Said fund shall be for the purpose of providing funds for grants, loans and other economic development initiatives which shall be generally considered to be beneficial to the state's overall economy as provided for in paragraph II.

II. Said fund shall be distributed or expended by the commissioner with the approval of the governor and council for any of the following purposes:

- (a) Business financing and expansion initiatives.

- (b) Job retention and creation.
- (c) International trade.
- (d) Research and development activities.
- (e) Other projects or programs recognized as being beneficial to business activity in New Hampshire.

III. To maximize the economic impact of expenditures from this fund, and to leverage additional funding from other sources, the commissioner may contract with such organizations as, but not limited to, the following:

- (a) New Hampshire Business Development Corporation.
- (b) Small Business Investment Corporation.
- (c) Innovation Research Center.
- (d) Small Business Development Center.

IV. All moneys returned to the department as a result of contracts between the commissioner and any other party as authorized shall be redeposited into the New Hampshire economic development fund. In addition, the department may accept gifts, grants, donations or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire economic development fund.

12-O:22 New Hampshire Canadian Trade Council. The commissioner of business and economic affairs and the secretary of state shall have the authority to establish a New Hampshire trade council to meet with one or more trade councils established by the Canadian provinces, either separately or collectively. The members of the council shall include 2 senators appointed by the president of the senate, 2 house members appointed by the speaker of the house of representatives, the commissioner or designee, the secretary of state or designee, and such other members as the commissioner and secretary of state may appoint.

12-O:23 Northern County Area Industrial Agent. A special position shall be provided, in the division of economic development of the department of business and economic affairs, to be known as area industrial agent for the counties of Coos, Grafton, and Carroll. The commissioner shall, subject to the personnel laws of the state, employ such area industrial agent for said counties, who shall be fully qualified by specific training and experience and who shall work under the supervision of the director. She or he shall maintain a residence in one of said 3 counties and her or his duties shall be primarily concerned with, but not limited to, assisting the political subdivisions of the state, regional development organizations or groups, and individuals to maintain and expand existing industries and to encourage, assist, and aid new industries to establish operations in said Coos, Grafton and Carroll counties, and the agent's efforts shall be directed to the economic development of said 3 counties.

Economic Development Strategy and Plan

12-O:24 Economic Development Strategy and Plan. The division of economic development, with input and assistance from the council of partner agencies established under RSA 12-O:7 and other public and private organizations with whom it chooses to work, shall develop a rolling 10-year economic development strategy and operating plan.

12-O:25 Definitions. In this subdivision:

I. "Plan" means an ongoing management operating document that identifies strategies and activities, and the progress thereof, designed to expand the state's economic base and strengthen the economic health of New Hampshire, based on the needs of the state and of business and industry. The plan shall identify specific actions, and the responsibilities, rationales, timeframes, resources required, barriers if any, and the tracking and reporting of outcomes associated with those actions.

II. "Strategy" means an overall direction or course that identifies how the division will convey the state's value to the business and industry community, how it will leverage its strengths and assets, and the broad themes it will emphasize that are attractive to retaining and recruiting business and industry.

12-O:26 Goals and Objectives. The plan shall identify both goals and objectives for the 10-year period and shall track measurable results so as to be able to assess the plan. Goals and objectives may be added, amended, or deleted as both existing and emerging economic conditions and opportunities warrant. The plan shall also benchmark key economic indicators.

12-O:27 Content of the Economic Development Strategy and Plan. The following, as a minimum, shall be considered in constructing the economic development strategy and plan:

I. Consideration of the entire state.

II. An analysis, relative to business and industry, of New Hampshire strengths and advantages, and how they will be leveraged; analysis of weaknesses and obstacles, and suggestions on how to remedy or mitigate them; identification of opportunities and how to take advantage and benefit from them; and identification of threats and how to meet and deter them. The analysis, where appropriate, should suggest ownership of its various elements.

III. A needs forecast, based on research from both existing and targeted business and industry, that identifies issues and suggested initiatives so as to strengthen New Hampshire as a business and industry destination and to reinforce retention.

IV. Identification of economic, demographic, and other trends which may have both short-term and long-term influence on the economy of the state.

V. The identification of business sectors that are of strategic importance to the state's economy and to the state's global business image, and development of specific strategies to promote the development of such sectors; and an analysis of new industries that can be targeted in New Hampshire and the rationale for their identification.

VI. Identification of how economic development ideas, advice, and information from relevant entities throughout the state will be solicited to strengthen strategies and plans; and how potential partners for the implementation of the strategies and plans, including, without limitation, the United States government, local governments, regional planning commissions, regional economic development corporations, chambers of commerce, business associations, investors, and other relevant entities will be integrated and engaged. Other states should also be studied to build an understanding of best practices that may be emulated.

VII. Innovative programs to position and market the state to aid business recruitment and retention.

VIII. Economic performance metrics, to include previous years and objectives for the 10 years covered by the plan. Such metrics shall be contained in a state economic dashboard and updated regularly.

IX. Inter-department agreements with selected state agencies recognizing their role in economic development strategies, plans, and programs.

X. Identification of how the state will petition for and receive moneys, such as grants, to be used for economic development activities.

XI. Consideration of how workforce education and training in cooperation with the university system, the community college system, private colleges and universities, and other workforce training organizations will be leveraged and enhanced.

XII. Provisions for export growth and how relationships will be fostered with New Hampshire's export-related service providers and with the Commerce Department's International Trade Administration; and provisions to improve the state's image as a destination for foreign business investment and location with overseas entities.

XIII. Identification of a division liaison to communicate needs to the general court for the benefit of economic development.

XIV. Provision to identify and carry out other economic development activities that the governor or the commissioner may request.

12-O:28 Annual Report. The division of economic development shall complete the initial economic development strategy and plan by December 31, 2018, and submit the plan to the governor, senate president, senate majority leader, senate minority leader, speaker of the house of representatives, house majority leader, and house minority leader. On or before December 31 of each year, thereafter the division shall similarly provide results and validation from the previous fiscal year and a comprehensive update of the plan so that each annual report shall extend the time frame of the plan by one year, thereby ensuring that a 2-year plan is always in effect.

Division of Economic Development Fund

12-O:29 Division of Economic Development Fund. There is hereby established in the office of the state treasurer a fund to be known as the division of economic development fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind

for the purpose of funding initiatives associated with the activities set forth in RSA 12-O:20. Such grants, gifts, and donations shall be deposited in the division of economic development fund and may only be expended by the commissioner of business and economic affairs to accomplish the purposes of this section. Other than acknowledgment for promotional purposes, donations shall not be used as fees for services in a manner that primarily benefits the party providing the funds. The state treasurer may invest moneys in the fund as provided by law, with interest received on such investment credited to the fund. The moneys in this fund shall be nonlapsing and shall be continually appropriated to the department of business and economic affairs.

Job Training Program for Economic Growth

12-O:30 Program Transferred. The job training program for economic growth established in the former department of resources and economic development is hereby transferred to the department of business and economic affairs, subject to the provisions of this chapter. The program is designed to attract new business, assist in the expansion of business, and retain existing business in the state of New Hampshire.

12-O:31 Purpose. The purpose of this program is to:

I. Enhance the state's economic growth and vitality by offering assistance to privately owned businesses and industries in training a new workforce and retraining existing employees to implement new technologies, in creating new jobs, and in retaining and upgrading existing jobs.

II. Provide technical education and training as a component of the state's economic development efforts.

III. Be flexible and responsive to the training needs of business and industry in New Hampshire.

12-O:32 Training Programs. Training programs may include, but shall not be limited to:

I. Structured, on-site laboratory or classroom training.

II. Basic skills.

III. Technical skills.

IV. Quality improvement.

V. Safety.

VI. Management and supervision.

VII. English as a second language.

12-O:33 Administration; Review Committee.

I. The department of business and economic affairs, or an entity with which the department has contracted, shall administer this program.

II. The commissioner of the department of business and economic affairs shall adopt rules under RSA 541-A, relative to the administration of this subdivision.

12-O:34 Eligibility for Training Grants.

I. In this subdivision, "grant recipient" means the business entity that receives funds from the department and which provides funds to the training provider.

II. Only those businesses that are physically located or intend to be physically located within the state may receive funds under this subdivision.

III. Only those employees who are residents of New Hampshire, or who work for a business that is located or intends to locate within the state, or are unemployed residents of New Hampshire, shall receive training from grants under this subdivision.

IV. Grant recipients shall match no less than one dollar for each dollar provided through the grant award. The match funds shall include only those costs extraordinary to the regular employee expenses incurred by the business and shall be directly related to training.

V. Priority shall be given for grants to small businesses for the implementation of technological innovations.

VI. Intent by a business to locate within the state shall be established to the satisfaction of the grant review committee. A minimum requirement for intent to be established shall be:

- (a) Proof of substantial investment or a binding contractual obligation consistent with such intent;
- (b) The lease or purchase of real estate or equipment within the state necessary for the planned move; or
- (c) Such other requirement as may be established under rules adopted by the commissioner of the department of resources and economic development.

VII. Submission of documents to substantiate proof of intent by a business to locate within the state shall be in accordance with rules adopted by the commissioner.

VIII. No grant shall be made to the state, including the state university system.

IX. No grant shall be made to any county, city, town, or other political subdivision which has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

X. No grant shall be made to any organization or group of organizations, described in section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not currently elected to pay contributions pursuant to RSA 282-A:69, II.

12-O:35 Eligible Costs.

I. To be eligible under this subdivision, a cost must be necessary and reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

II. The following costs are not eligible:

- (a) Costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (b) Entertainment costs.
- (c) Administrative costs.
- (d) Salaries and wages of employees in training.

III. Funds for training grants shall supplement, and not replace, funds available through existing programs conducted by the business entity, or other public or private training programs.

IV. The department may use no more than 10 percent, or \$200,000, of any moneys received from the training fund established at RSA 282-A:138-a, whichever is less, to administer this program.

12-O:36 Training Facilities.

I. As long as it is feasible, training shall be provided by the community college system of New Hampshire, which may charge full market value for the training provided.

II. When the community college system of New Hampshire cannot provide desired training, the training grant recipient will be free to contract with some other training entity approved by the community college system of New Hampshire.

III. The provider shall be specified in the grant award.

12-O:37 Performance; Report.

I. The grant review committee shall establish performance criteria. The committee shall submit annually 60 days after the close of each fiscal year, to the commissioner of the department of business and economic affairs, the commissioner of the department of employment security, the governor, the senate president, the speaker of the house of representatives, and the fiscal committee of the general court, a report indicating the level of performance achieved through the program.

II. The department shall evaluate the performance level for each training grant program provided to a business.

III. The grant recipient shall file the information required under paragraphs I and II, as requested by the commissioner.

International Trade Promotion

12-O:38 International Trade Promotion. The commissioner of business and economic affairs shall plan, develop, and administer programs for international trade promotion and inward investment promotion in cooperation with the Pease development authority, division of ports and harbors, and the Small Business

Development Center and other private organizations. The commissioner shall take a proactive role in targeting foreign trade shows and foreign trade missions and shall assist New Hampshire businesses desiring to participate in these shows and missions. In planning, developing, and administering programs under this section, the commissioner may draw on the fund created under RSA 12-O:39.

12-O:39 International Trade Promotion Fund. There is hereby established in the office of the state treasurer a fund to be known as the international trade promotion fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind for the purpose of funding programs associated with the promotion of international trade. Such grants, gifts, and donations shall be deposited in the international trade promotion fund and may be expended by the commissioner of business and economic affairs to accomplish the purposes of RSA 12-O:38. The moneys in this fund shall be nonlapsing and shall be continually appropriated to the department of business and economic affairs.

Economic Development Matching Grants Program

12-O:40 Economic Development Matching Grants Program; Transfer. The economic development matching grants program originally established in the former department of resources and economic development is hereby transferred to the department of business and economic affairs, subject to the provisions of this chapter.

12-O:41 Economic Development Matching Grants Program. An economic development matching grants program is established to assist municipalities and counties in promoting themselves to prospective businesses. For the purposes of this subdivision, "program" means the economic development matching grants program.

I. The department of business and economic affairs shall administer an economic development matching grants program. The funds appropriated for this program shall be expended for grants for programs entered into by municipalities, counties, and organizations which are designed to promote the location of new businesses in the state of New Hampshire or to encourage workforce recruitment efforts.

II. Funds appropriated to the program shall only be made available to municipalities, counties, and with the approval of the commissioner of the department of business and economic affairs.

III. Grant awards shall require 50 percent matching funds from other sources. Grants shall not be used for the administrative salaries or overhead expenses of any applicant selected for a grant. Grants may be used for workforce recruitment efforts and related travel costs.

IV. Grant applications shall be reviewed by the commissioner. A recommendation for disapproval by the commissioner shall be in writing with the reasons for disapproval stated.

V. Funds appropriated for the program for the first fiscal year of any biennium shall not lapse and shall be available for expenditure during the second fiscal year of the biennium. All funds which have not been expended by the end of the second fiscal year of a biennium shall lapse to the general fund.

VI. The commissioner shall adopt rules under RSA 541-A after public hearing governing the program. These rules shall include:

(a) A description of the program, stating the general course and method of its operations and the methods by which the proposed grantee may obtain proposed grantee information or make submissions or requests.

(b) The procedures and criteria used to certify municipalities, counties, and organizations eligible for matching grants.

(c) The application process, including the information required of applicants.

(d) The procedures and criteria used to evaluate grant applications.

(e) Procedures for the administration of grants by recipients including reporting requirements.

Reports on Economic Development Loans and Grants

12-O:42 Reports on Economic Development Program Loans and Grants.

I. The department shall include, as part of its annual report or as a separate report published and made available to the public annually on or before September 1, beginning September 1, 2018, the following information regarding each economic development program for which state grants and loans have been awarded:

(a) Information regarding the number of jobs to be created or saved as a result of the award, and the related wages and benefits levels.

- (b) The growth potential of the program.
- (c) The environmental impact of the program.
- (d) The amount of the loan, grant, loan guarantee, bond guarantee, or tax incentives awarded.

II. The annual report shall also include information regarding the criteria for the awarding of economic development assistance and the means by which the department tracks the progress which each awardee makes in meeting the job, wage, and benefit projections included in its application for assistance.

12-O:43 Review of Reports Required. For the purpose of ensuring comparability of impact reports on economic development programs issued under RSA 12-O:42, and RSA 162-A:23-a, the department of business and economic affairs, in consultation with the legislative budget assistant, shall periodically review such reports at least once every 5 years and make recommendations to be utilized by the agencies making such reports for an improved and consistent methodology for assessing the quantity and quality of jobs created and saved and the growth potential and environmental impacts of such programs. This section shall not apply to promotional literature.

12-O:44 Limitation. This subdivision shall not apply to state loans or state loan guarantees of less than \$250,000, or to state grants of less than \$50,000.

Small Business Innovation Research Support

12-O:45 Small Business Innovation Research Support. The director of economic development, under the supervision of the commissioner of business and economic affairs and pursuant to the director's duties under RSA 12-O:20, shall establish a small business innovation research support program.

12-O:46 Recognition of Federal Grant Recipients. The director may issue a suitable plaque to New Hampshire residents that receive federal small business innovation research grants recognizing their achievement. The director shall also recommend that the governor issue a letter of commendation to all such recipients.

12-O:47 Matching Grants. The director may authorize that first-time federal grant recipients recognized under RSA 12-O:46 receive a grant from the New Hampshire economic development fund in RSA 12-O:22 of up to \$50,000 to match the federal support received.

12-O:48 Seminars. The director may organize an annual seminar to promote and explain the small business innovation research program to members of the public. Participants in the seminar shall include previous grant recipients and representatives of relevant state agencies as determined by the director.

12-O:49 Grant Information. The director shall compile information relative to applying for federal small business innovation research grants, including the names of appropriate federal officials. The director shall make the information available on an Internet site created for such purpose.

New Hampshire Workforce Development

12-O:50 Workforce Development. The commissioner of business and economic affairs shall work with the workforce development director to plan, develop, and administer workforce investment activities, programs, and grants under the federal Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the New Hampshire Workforce Opportunity Council established under RSA 12-A:52. The commissioner shall coordinate with the New Hampshire Workforce Opportunity Council to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

12-O:51 Workforce Development Director. There is established within the bureau of workforce development the position of workforce development coordinator, which shall be an administrator II position, classified at labor grade 29. The workforce development director shall lead the workforce development bureau. The workforce development director shall perform all duties which the commissioner may assign.

12-O:52 New Hampshire Workforce Opportunity Council.

I. There is established a New Hampshire Workforce Opportunity Council within the bureau of workforce development.

II. Membership of the council shall be as set forth in section 111(b) of the Workforce Investment Act of 1998, Public Law 105-220, codified at 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized,

and in effect from time to time. Members of the council shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the council from among the members of the council, in accordance with 29 U.S.C. section 2821(c).

III. The council shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Investment Act of 1998, and shall assist the governor in:

(a) Development of the state plan required under section 112 of the Workforce Investment Act of 1998.

(b) Development and continuous improvement of a statewide system of activities that are funded under this subdivision or carried out through a One-Stop delivery system described in section 134c of the Workforce Investment Act of 1998, that receives funds under that act, including:

(1) Development of linkages in order to assure coordination and non-duplication among the programs and activities described in section 121(b) of the Workforce Investment Act of 1998; and

(2) Review of local plans under the Workforce Investment Act of 1998, if any.

(c) Commenting at least once annually on the measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C. section 2323(b)(3).

(d) Designation of local areas as required in section 116 of the Workforce Investment Act of 1998.

(e) Development of the allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B) and 133(b)(3)(B) of the Workforce Investment Act of 1998.

(f) Development and continuous improvement of comprehensive state performance measures including state adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the state as required under section 136(b) of the Workforce Investment Act of 1998.

(g) Preparation of the annual report to the United States Secretary of Labor described in section 136(d) of the Workforce Investment Act of 1998.

(h) Development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.

(i) Development of an application for an incentive grant under 20 U.S.C. section 9273.

12-O:53 New Hampshire Workforce Opportunity Fund.

I. There is hereby established the New Hampshire workforce opportunity fund which shall be nonlapsing, continually appropriated to, and administered by the commissioner of the department of business and economic affairs. Said fund shall be for the purpose of receiving financial assistance under the Workforce Investment Act of 1998 and providing funds for grants and other workforce development initiatives.

II. The fund shall be distributed or expended by the commissioner after consultation with the New Hampshire Workforce Opportunity Council established in RSA 12-O:52 and the approval of the governor and council for any of the following purposes:

(a) Workforce Investment Act Adult and Dislocated Worker programs.

(b) Workforce Investment Act Youth programs.

(c) Workforce Investment Act Senior Community Service Employment programs.

(d) Workforce Investment Act Disability programs.

(e) Workforce Investment Act Regional Innovation and National Emergency grant programs.

(f) Other projects, programs, or grants recognized as being beneficial to workforce development initiatives and consistent with the goals of the Workforce Investment Act.

III.(a) The department may accept gifts, grants, donations, or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire workforce opportunity fund.

(b) The commissioner may enter into contracts and agreements and may take other actions that may be necessary or desirable to effect the transfer to it of operations currently conducted by The Workforce Opportu-

nity Council, Inc. or the New Hampshire Workforce Opportunity Council under the Workforce Investment Act, and to effect the transfer of assets utilized by them in doing so; and, the commissioner may assume, bear, and agree to perform those contracts of the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council that may be necessary or desirable for carrying out the purposes of this section.

IV. The commissioner of the department of business and economic affairs shall have the authority to enter into such agreements for leasing real property, acquiring goods, and engaging services to perform Rapid Response activities in accordance with this subdivision. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such agreements and amounts expended pursuant thereto. Such agreements shall be made pursuant to forms of agreement that shall be approved by governor and council which forms of agreement have been reviewed by the attorney general and the commissioner of the department of administrative services.

V. In accordance with RSA 12-O:30 through RSA 12-O:37, the commissioner of business and economic affairs shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.

42 Member Added; Reference Corrected; Scenic and Cultural Byways Council. Amend RSA 238:20, I(e) to read as follows:

(e) The director of the division of ~~[historic]~~ **historical** resources, **department of natural and cultural resources**, or designee.

43 Gifts for Historic Sites. Amend RSA 4:8-a to read as follows:

4:8-a Gifts for Historic Sites and the Community College System of New Hampshire.

I. The governor and council may, by executive order, authorize the department of ~~[resources and economic development]~~ **natural and cultural resources** to accept, for the state, gifts of personal property and money which are donated for use in connection with historic sites and the buildings or structures thereon, which are under the management of that department. Each such executive order shall relate to a particular site and may authorize the use of such personal property or the expenditure of such money, in accordance with the terms of the gift, under the supervision of such department. Such executive order, as originally made or later amended, may also authorize the sale or exchange of any such personal property found subsequently to be inappropriate for use, where not inconsistent with the terms of the gift, and application of the proceeds or items received in exchange for the purposes of the original gift. The department shall keep a permanent inventory or record of such gifts and the disposition of such gifts. ~~[The governor and council may, by executive order, delegate the same authority with reference to gifts to the division of historical resources, department of cultural resources, and all other provisions of this section shall apply to such gifts.]~~ The board of trustees, community college system of New Hampshire, may accept gifts of personal property and money pursuant to RSA 188-F:6. The board shall consult with the state curator regarding gifts of potential historic significance. Gifts of historic significance accepted by the board of trustees shall be cataloged by the state curator pursuant to RSA 227-C:4, XVIII, and recognized by the governor and council under this section.

II. Any legally constituted board or commission which is established for the purpose of state historic site restoration shall have the option of retaining ownership of any historic site furnishing, which is acquired with other than state funds, for the duration of its existence, and which funds shall be used for the purposes of upgrading or insuring furnishings at no cost to the state. The commissioner of the department of ~~[resources and economic development]~~ **natural and cultural resources** shall prepare a site inventory of all furnishings acquired by the board or commission. The board or commission shall maintain the inventory and shall report any changes annually. ~~[The director of the division of historical resources shall be consulted prior to any changes in the inventory.]~~

44 Council on Resources and Development; Members. Amend RSA 162-C:1, II to read as follows:

II. The commissioner or appropriate division director, department of ~~[resources and economic development]~~ **business and economic affairs**, or designee.

45 Council on Resources and Development; Members. Amend RSA 162-C:1, X to read as follows:

X. The commissioner or appropriate division director, department of *natural and* cultural resources, or designee.

46 Community Heritage Investment Program; Membership. Amend RSA 227-M:4, II(e) and (f) to read as follows:

(e) The ~~[commissioner of the]~~ *director of the division of historical resources*, department of *natural and* cultural resources, or designee.

(f) The ~~[commissioner of the]~~ *director of the division of forests and lands*, department of ~~[resources and economic development]~~ *natural and cultural resources*, or designee.

47 Continuity of Subcommittees of the Site Evaluation Committee.

I. Subcommittees of the site evaluation committee established under RSA 162-H:4-a that include the commissioner of the department of resources and economic development shall continue following the effective date of this act with the commissioner of the department of business and economic affairs, without the need for further action by the chairperson of the site evaluation committee.

II. All designations of senior administrative employees or staff attorneys that were made under RSA 162-H:4-a by the commissioner of the department of resources and economic development shall continue and be effective following the effective date of this section, without the need for further action by the commissioner of the department of business and economic affairs.

III. Subcommittees of the site evaluation committee established under RSA 162-H:4-a that include the commissioner of the department of cultural resources or the director of the division of historical resources shall continue following the effective date of this act with the commissioner of the department of natural and cultural resources or the director of the division of historical resources, without the need for further action by the chairperson of the site evaluation committee.

IV. All designations of senior administrative employees or staff attorneys that were made under RSA 162-H:4-a by the commissioner of cultural resources or the director of the division of historical resources shall continue and be effective following the effective date of this section, without the need for further action by the commissioner of the department of natural and cultural resources.

48 Salaries of Unclassified Officers. Amend the positions in the following salary grades in RSA 94:1-a, I(b) as follows:

I. Change from department of resources and economic development to department of natural and cultural resources:

- (a) in DD, mountain manager
- (b) in GG, director, division of parks and recreation
- (c) in GG, director, forests and lands

II. Change from department of resources and economic development to department of business and economic affairs:

- (a) in GG, director of economic development
- (b) in GG, director of travel and tourism development

III. Delete:

- | | | |
|--------|--|-----------------------|
| (a) DD | Department of resources and economic development | director of marketing |
| (b) HH | Department of cultural resources | commissioner |
| (c) KK | Department of resources and economic development | commissioner |

49 Commissioner Salaries. The commissioner of the department of natural and cultural resources and the commissioner of the department of business and economic affairs, as established in this act, shall receive the salaries as specified in RSA 94:1-a. The salaries for the commissioners shall be determined after assessment and review of the appropriate temporary letter grade allocation for the position for inclusion in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

50 Rulemaking. Transfer of Rules. Existing rules of the department of resources and economic development shall continue in effect and be enforced by the commissioner of the department of natural and cultural resources or the commissioner of the department of business and economic affairs, as applicable, until they expire or are repealed or amended in accordance with applicable law.

51 Reference Amended; Travel and Tourism Moneys. Amend RSA 6:12, I(b)(21) to read as follows:

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

52 Fund Amended; Travel and Tourism. Amend RSA 6:12, I(b)(75) to read as follows:

(75) Moneys received for deposit in the travel and tourism development fund established by RSA ~~[12-A:43-a, I]~~ **12-O:16**.

53 Fund Amended; International Trade Promotion. Amend RSA 6:12, I(b)(106) to read as follows:

(106) Moneys deposited in the international trade promotion fund under RSA ~~[12-A:31]~~ **12-O:39**.

54 Fund Amended; Economic Development Fund. Amend RSA 6:12, I(b)(109) to read as follows:

(109) Moneys deposited in the New Hampshire economic development fund under RSA ~~[12-A:2-e]~~ **12-O:21**.

55 Fund Amended; Travel and Tourism Revolving Fund. Amend RSA 6:12, I(b)(111) to read as follows:

(111) Moneys deposited in the travel and tourism revolving fund under RSA ~~[12-A:15-a]~~ **12-O:13**.

56 Fund Amended; Workforce Opportunity Fund. Amend RSA 6:12, I(b)(283) to read as follows:

(283) Moneys deposited into the New Hampshire workforce opportunity fund established in RSA ~~[12-A:61]~~ **12-O:53**.

57 Fund Amended; Division of Economic Development Fund. Amend RSA 6:12, I(b)(325) to read as follows:

(325) Moneys deposited in the division of economic development fund under RSA ~~[12-A:67]~~ **12-O:29**.

58 Dedicated Fund Review. Amend RSA 6:12-j, V(a)(4) to read as follows:

(4) The department of ~~[resources and economic development]~~ **business and economic affairs**.

59 Comprehensive State Development Plan. Amend RSA 9-A:1, III(b)(6) to read as follows:

(6) An economic development section which proposes actions and policies to suit the state's economic goals and needs, based on the current and projected economic strengths and weaknesses. The section shall reference the economic development **strategy and** operating plan and process developed by the division of economic development under RSA ~~[12-A:62]~~ **12-O:24 through 12-O:28**.

60 Tourism Policy. Amend RSA 162-C:2, VI to read as follows:

VI. Resolve differences and conflicts among the agencies and departments of the state in the implementation of the tourism policy under RSA ~~[12-A:23]~~ **12-O:14**;

61 Unemployment Compensation; Training Fund. Amend RSA 282-A:138-a, I and II to read as follows:

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of ~~[resources and economic development]~~ **business and economic affairs** in accordance with rules and guidelines adopted by the commissioner of ~~[resources and economic development]~~ **business and economic affairs**, for funding training under the job training program for economic growth, established under RSA ~~[12-A:51-58]~~ **12-O:30 through 12-O:37**. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of resources and economic development pursuant to RSA ~~[12-A:54, H(a)]~~ **12-O:33**.

II. The commissioner of ~~[resources and economic development]~~ **business and economic affairs** shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.

62 Energy Facilities; Site Evaluation Committee; Membership. Amend RSA 162-H:3, I(c) through (e) to read as follows:

(c) The commissioner of the department of ~~[resources and economic development]~~ **business and economic affairs or designee**;

(d) The commissioner of the department of transportation;

(e) The commissioner of the department of **natural and** cultural resources, ~~[or]~~ the director of the division of historical resources, ~~[as]~~ **or** designee; and

63 Chapter Heading; Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend the chapter heading of RSA 4-C to read as follows:

CHAPTER 4-C

OFFICE OF ~~[ENERGY AND PLANNING]~~ **STRATEGIC INITIATIVES**

64 Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend RSA 4-C:1, I and the introductory paragraph of RSA 4-C:1, II to read as follows:

I. There is established the office of ~~[energy and planning]~~ **strategic initiatives** within the office of the governor. The office of ~~[energy and planning]~~ **strategic initiatives** shall be under the supervision and direction of the governor or the governor's designee. The governor's designee shall be known as the director of the office of ~~[energy and planning]~~ **strategic initiatives**. **The office of strategic initiatives shall include the division of energy, division of planning, and any other divisions which the governor or director may elect to establish.**

65 Name Change. Amend the following RSAs by replacing "office of energy and planning" with "office of strategic initiatives": RSA 4-C:2; 4-C:3; 4-C:5; 4-C:6; 4-C:7; 4-C:8; 4-C:9; 4-C:9-a; 4-C:10; 4-E:1; 4-F:1; 6:12-j; 9-A:2; 9-A:4; 9-E:5; 12-G:13; 12-K:2; 12-K:3; 12-K:6; 12-K:8; 12-K:9; 17-M:2; 21-O:5-a; 21-P:48; 36:45; 36:46; 36:47; 36-B:1; 38-D:6; 78-A:25; 78-A:26; 125-O:5-a; 126-A:4; 147-B:4; 162-C:1; 162-H:10; 162-L:15; 162-L:19; 167:4-c; 204-C:8; 216-A:3-c; 216-F:5; 217-A:3; 227-C:4; 227-G:2; 227-M:4; 233-A:2; 235:23; 238:20; 261:153; 270:64; 270:71; 369-B:2; 374:22-j; 432:19; 482-A:32; 483:8; 483:10; 483-A:6; 483-A:7; 483-B:5; 483-B:12; 483-B:16; 483-B:22; 483-E:2; 485-A:4; 673:3-a; 674:3; 675:9.

66 Repeal. The following are repealed:

I. RSA 167:3-c, III, relative to rulemaking for deceased recipients of public assistance funeral expenses.

II. RSA 167:11, relative to funeral expenses to recipients of public assistance.

67 New Section; Department of Transportation; Federal Assistance Grant; Appropriation. Amend RSA 228 by inserting after section 8 the following new section:

228:8-a Federal Assistance Grant; Appropriation. Any sum received from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.

68 New Chapter; Public School Infrastructure Revitalization Trust Fund. Amend RSA by inserting after chapter 6-D the following new chapter:

CHAPTER 6-E

PUBLIC SCHOOL INFRASTRUCTURE REVITALIZATION TRUST FUND

6-E:1 Purpose. The general court recognizes that there is a need to provide funding for infrastructure projects for public elementary and secondary schools. Therefore, it is the intent of this chapter to designate certain surplus funds in the 2016-2017 biennial budget to provide grants to fund select school infrastructure projects in accordance with this chapter.

6-E:2 Definitions. In this chapter:

I. "Commission" means the public school infrastructure revitalization commission established in RSA 6-E:5.

II. "Trust fund" means the public school infrastructure revitalization trust fund established in RSA 6-E:3.

6-E:3 Public School Infrastructure Revitalization Trust Fund Established. There is hereby established in the office of the state treasurer the public school infrastructure revitalization trust fund which shall be kept

distinct and separate from all other funds. After transferring sufficient funds to the revenue stabilization reserve account to bring the balance of that account to \$100,000,000, the state treasurer shall transfer the remainder of the general fund surplus for fiscal year 2017, as determined by the official audit performed pursuant to RSA 21-I:8, II(a), to the trust fund. The state treasurer shall be the trustee of the trust fund, and shall invest the trust fund in accordance with RSA 6:8. Any earnings on trust fund moneys shall be added to the trust fund. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the state treasurer. The state treasurer shall disburse funds from the trust fund solely for the purposes and in the manner set forth in this chapter.

6-E:4 Trust Fund Expenditures. The governor may authorize the treasurer to expend trust funds with approval of the fiscal committee of the general court and the executive council. In developing proposals for trust fund expenditures, the governor shall consult with the commission established in RSA 6-E:5. Trust funds may be expended for the following purposes:

I.(a) A school building or infrastructure proposal in which the condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons and requires remediation as soon as practicable; or

(b) A school building or infrastructure proposal in which a structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons and is more than a technical violation of the fire code, and requires remediation as soon as practicable.

II. Funding for the department of safety, division of homeland security and emergency management's school emergency readiness program to improve security in public schools, after the completion of a security assessment, and in consultation with municipal officials.

III. Support of fiber optic connections for schools to enhance and improve reliance on Internet technology tools, provided matching funds are available.

IV. Other school building or infrastructure needs the governor and commission may identify, except for school building aid projects that are otherwise prohibited by law.

6-E:5 Public School Infrastructure Revitalization Commission Established.

I. There is hereby established the public school infrastructure revitalization commission, which shall advise the governor on proposals for expenditures from the trust fund. The commission shall consist of the following members:

- (a) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) The director of the division of homeland security and emergency management, department of safety, or designee.
- (d) The commissioner of the department of education, or designee.
- (e) One municipal official, appointed by the governor.
- (f) Three public members, appointed by the governor.

II. Members of the commission shall serve at the pleasure of their appointing authority.

III. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. The commission shall meet at least monthly. The commission shall provide an annual report commencing on November 1, 2018 to the general court with information on trust fund expenditures for the year, projects begun or completed during the previous year, the balance in the trust fund, and any other information the commission deems appropriate.

V. The commission shall annually review the work and projects funded by the trust fund during the previous year.

69 Revenue Stabilization Reserve Account; Reference Added. Amend RSA 9:13-e, II to read as follows:

II. There is hereby established within the general fund general ledger a revenue stabilization reserve account. At the close of the fiscal biennium ending June 30, 2001, and at the close of each fiscal biennium thereafter, ***except as otherwise provided in RSA 6-E***, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be transferred by the comptroller to a special nonlapsing revenue stabilization reserve account. The comptroller is hereby directed to establish the revenue stabilization reserve account in which to deposit any money received from a general fund operating budget surplus. The state treasurer shall invest funds in this account as authorized by RSA 6:8. The interest so earned shall be deposited as unrestricted general fund revenue.

70 New Subparagraph; Application of Receipts; Public School Infrastructure Revitalization Trust Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:

(334) Moneys deposited in the public school infrastructure revitalization trust fund established in RSA 6-E:3.

71 School Building Aid; Alternative School Building Aid.

I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2017 through June 30, 2019.

II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:

(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2019; or

(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2019.

(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.

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

73 Liquor Commission; Funds. Amend RSA 176:16, III to read as follows:

III. ~~[1-7]~~ **3.4** percent of the previous fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire comprehensive annual financial report, statement of revenues, expenses, and changes in net position for proprietary funds.

74 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2018 and June 30, 2019, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2017 distribution.

75 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2019, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

76 Department of Health and Human Services; Suspension of Home Health Services Rate Setting. Notwithstanding any provision of law to the contrary, RSA 126-A:18-a relative to rate settings for home health services shall be suspended for the biennium ending June 30, 2019. Payments for home health services shall be limited to appropriations for home health services as may be restricted or reduced by action of the fiscal committee of the general court or by legislative action.

77 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the fiscal year ending June 30, 2018. During the fiscal year ending June 30, 2018, the department of health and human services shall prepare and take measures necessary for the resumption of congregate housing services in the fiscal year ending June 30, 2019.

78 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2017. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2019.

79 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2019.

80 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire health protection program established under RSA 126-A:5, XXIII-XXV is repealed effective December 31, 2018 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which were in effect prior to the effective date of the New Hampshire health protection program.

81 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2019, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.

82 Governor; Transfer Among Accounts and Classes. Subject to the provisions of RSA 9:17-c, and the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2019, the governor is hereby authorized to transfer funds within and among all accounting units and/or class codes within the office of the governor, and is further authorized to create new class codes within the office into which funds may be transferred or placed, as the governor deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the office; provided if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.

83 New Section; New Hampshire Employment Program and Family Assistance Program; Adjustment of TANF Financial Assistance. Amend RSA 167 by inserting after section 77-f the following new section:

167:77-g Adjustment of TANF Financial Assistance. The maximum monthly cash benefit under this subdivision shall be equal to 60 percent of the federal poverty guidelines, based upon the applicable household size and composition, as determined annually by the United States Department of Health and Human Services.

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

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [2016-2017] **2018-2019**:

(1) State fiscal year [2016] **2018**, [\$114,562,000] **\$117,573,000**.

(2) State fiscal year [2017] **2019**, [\$115,268,000] **\$119,925,000**.

85 Discrimination Prohibited in Determining Eligibility for Services in the State Mental Health Services System; Prospective Repeal Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, as amended by 2015, 276:41 to read as follows:

I. Section 5 of this act shall take effect July 1, [2017] **2019**.

86 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2019.

87 New Subdivision; Department of Justice; Internet Crimes Against Children Fund. Amend RSA 21-M by inserting after section 16 the following new subdivision:

Internet Crimes Against Children Fund

21-M:17 Internet Crimes Against Children Fund Established. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the Internet crimes against children (NH ICAC) fund which shall be kept distinct and separate from all other funds. The fund shall consist of all moneys appropriated to the fund, and any gifts, grants, or donations made to the fund. The fund shall be administered by the department of justice. The attorney general shall disburse moneys from the fund to support the Portsmouth police department ICAC task force and other NH ICAC affiliate agencies in good standing with the NH ICAC in their efforts to investigate and combat Internet crimes against children. Funds shall be used for salary, benefits, training, and equipment related to the investigation of Internet crimes against children, and to expand educational efforts to interested groups, schools, and parents.

88 New Subparagraph; Application of Receipts; Internet Crimes Against Children Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:

(334) Moneys deposited in the Internet crimes against children fund established in RSA 21-M:17.

89 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2018, and the sum of \$250,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17 for the purposes set forth in that section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

90 Department of Justice; Position Established. There is established within the department of justice the classified position of financial research analyst I. The financial research analyst I position shall replace the unclassified financial analyst position, 9U098, located in accounting unit 02-20-20-200510-3310. Upon completion of this action, position 9U098 shall be abolished to allow for the transition of this unclassified position into the classified system. The incumbent in the abolished unclassified position shall be offered the opportunity to transfer into the newly established financial research analyst I position.

91 Position Reclassification; Banking Department. The position of general counsel, position #42404, within the banking department, is hereby designated as an unclassified position.

92 Agreements to Lease-Purchase Vehicles Authorized. For the biennium ending June 30, 2019, any state agency or department may, with the prior written approval of the department of administrative services, enter into an agreement to rent, lease, or lease-purchase vehicles from any outside vendor, or to rent or lease vehicles from any other state agency or department.

93 Chartered Public Schools; Definitions. Amend RSA 194-B:1 to read as follows:

194-B:1 Definitions. In this chapter:

I. "Average cost per pupil" means the total of education expenditures in a particular district and at the elementary, middle/junior, and high school levels, less tuition, transportation, capital outlays, and net debt service, as compiled by the department of education. Kindergarten cost shall be calculated at 1/2 the cost of elementary school.

II. "Average daily membership in attendance" or "ADMA" relative to charter schools means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that no kindergarten pupil shall count as more than ½ day attendance per school year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at the charter school's expense. In this paragraph, "determination year" shall have the same meaning as in RSA 198:38, IV.

[H:] ***III.*** "Board of trustees" means the governing body of a chartered public school authorized by the state board of education to supervise and control the chartered public school.

[HH:] ***IV.*** "Chartered public school" means an open enrollment public school, operated independent of any school board and managed by a board of trustees. A chartered public school shall operate as a nonprofit secular organization under a charter granted by the state board and in conformance with this chapter.

~~[IV:]~~ **V.** “Charter conversion school” means a public school which has been authorized to become a chartered public school. That school continues to be managed by the school board until and unless fully authorized to become a chartered public school in accordance with the provisions of RSA 194-B:3.

VI. *“Full-time enrolled pupil” means a pupil pursuant to RSA 194-B:1, X and officially accepted full-time student by the Virtual Learning Academy Charter School admissions team.*

VII. *“Full-time equivalent pupil” means a pupil or group of pupils pursuant to RSA 194-B:1, XI that have completed 12 half-credit courses.*

~~[V:]~~ **VIII.** “Host school district” means the school district in which the chartered public school is physically located.

~~[VI:]~~ **IX.** “Open enrollment public school” or “open enrollment school” means any public school which, in addition to providing educational services to pupils residing within its attendance area or district, chooses to accept pupils from other attendance areas within its district and from outside its district.

~~[VII:]~~ **X.** “Parent” means a parent, guardian, or other person or entity having legal custody of a child or, in the case of a child with a disability, a surrogate parent who has been appointed in accordance with state or federal law.

~~[VIII:]~~ **XI.** “Pupil” means any child who is eligible for attendance in public schools in New Hampshire; ~~and who lives with a parent~~.

~~[IX:]~~ **XII.** “Receiving district” means the school district to which a pupil is sent to attend a chartered public school.

~~[X:]~~ **XIII.** “Resident district” means the school district in which the pupil resides.

~~[XI:]~~ **XIV.** “School board” means the district school board.

~~[XII:]~~ **XV.** “Sending district” means the school district in which the pupil resides.

~~[XIII:]~~ **XVI.** “State board” means the state board of education.

~~[XIV:]~~ **XVII.** “Teacher” means any individual providing or capable of providing direct instructional services to pupils, and who meets requirements prescribed in the Elementary and Secondary Education Act and the Individuals With Disabilities Education Act.

94 Chartered Public Schools; Authority and Duties of the Board of Trustees. Amend the introductory paragraph of RSA 194-B:5, III to read as follows:

III. Notwithstanding RSA 194-B:1, ~~[HH]~~ **IV**, an established chartered public school shall be a corporation, which shall be registered with the secretary of state after receiving approval under this chapter but before its first day of actual operation, with authority necessary or desirable to carry out its charter program including, but not limited to, the following:

95 Chartered Public Schools; Funding; Virtual Learning Academy Charter School. Amend RSA 194-B:11, I(b) to read as follows:

(b)(1)(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, ~~[I, H, and H-a]~~ **II(a)-(c) and (e)** plus an additional grant of ~~[\$2,036 for the Virtual Learning Academy Charter School and \$3,036 for]~~ **\$3,286 to all [other] chartered public schools for the fiscal year ending June 30, 2018, and \$3,411 to all chartered public schools for the fiscal year ending June 30, 2019 and each fiscal year thereafter, except for the Virtual Learning Academy Charter School,** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the “services less medical care services” special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The state shall pay amounts required pursuant to RSA 198:40-a, ~~[HH]~~ **II(d)** directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, II(a)-(c) and (e), plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time

enrolled pupil in the charter school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition pursuant to RSA 198:40-a, II(a) plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed.

96 Special Education; State Aid. Amend RSA 186-C:18, III to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as [catastrophic] special education [186-C:18] aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements under RSA 186-C:19-b. The state may designate up to \$250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance for special education costs. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive [catastrophic] special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting [catastrophic] **special education** cost increases in their special education programs as provided by this paragraph.

97 Special Education; State Aid. Amend RSA 186-C:18, V(d)-(e) to read as follows:

(d) School districts applying for [catastrophic] **special education** aid under paragraph III;

(e) School districts identifying [catastrophic] **special education** costs under paragraph III;

98 Special Education; State Aid. Amend RSA 186-C:18, VI(a) to read as follows:

(a) [Catastrophic] **Special education** aid payments under paragraph III on or before January 1, provided that school districts shall annually submit their [catastrophic] **special education** costs for the immediately preceding school year to the state board of education by July 31. The state board of education shall then verify the cost and distribute the appropriate amounts for the previous year on or before January 1 of each year.

99 Special Education; State Aid. Amend RSA 186-C:18, VIII to read as follows:

VIII. A school district shall raise, appropriate and expend funds, reflecting the total cost in meeting [catastrophic] special education student costs as provided under [RSA 186-C:18] **this section**, including the school district and department of education liability. A school district may issue reimbursement anticipation notes as provided for in RSA 198:20-d to be redeemed upon receipt of reimbursement from the state. The department of education shall be liable for the cost of the school districts borrowing of any funds for special education student costs over 3-1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution.

100 Special Education; State Aid. Amend RSA 186-C:18, XI(a) to read as follows:

(a) The state board of education, through the commissioner of the department of education, shall distribute to school districts the lesser of 3.5 percent or \$1,000,000 in [catastrophic] **special education** aid funds appropriated in the fiscal year, to establish or support school district-based programs for children with disabilities who have been in out-of-district programs in the previous school year. Funds shall be distributed to school districts as reimbursement for the establishment or support of such programs and shall be applied to the greater of the following:

(1) Supplemental costs incurred by the school district for educating the child within a local school district program; or

(2) The amount the school district received to educate the child in an out-of-district program, with the school district receiving in year one, 70 percent of the [catastrophic] **special education** aid the school district received from the previous school year, which would constitute the base year; in year 2, 50 percent of the [catastrophic] **special education** aid the school district received during the base year, and in year 3, 30 percent of the [catastrophic] **special education** aid the school district received during the base year.

101 Property Tax Rates; Setting of Tax Rates by Commissioner. Amend RSA 21-J:35, VII(d) to read as follows:

(d) Department of education: federal forest land aid pursuant to RSA 227-H:20 through RSA 227-H:22, state aid for an adequate education pursuant to RSA 198:40-a, school building aid pursuant to RSA 198:15-a, and [catastrophic] **special education** aid pursuant to RSA 186-C:18.

102 Department of Information Technology; Consolidation of Information Technology Functions.

I. The commissioner of the department of information technology, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of information technology, from the department of health and human services as necessary to effectuate the efficient consolidation of information technology functions within state government. Such functions shall include positions responsible for:

- (a) Information technology analysis and planning.
- (b) Data management.
- (c) Cybersecurity.
- (d) Information technology applications, services, and support.

II. The commissioner of the department of information technology may establish the number and classification of personnel required for information technology functions in the department of health and human services with the prior approval of the governor and council. The commissioner of the department of information technology may eliminate unnecessary positions and transfer to the department of information technology any position in the department of health and human services identified by the commissioner of the department of information technology as necessary to effectuate the efficient consolidation of information technology functions within state government. Such transfers shall include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. The commissioner of the department of health and human services shall cooperate with the commissioner of the department of information technology to accomplish the intent of this section. The department of information technology is authorized to reclassify positions required for information technology consolidation from one class series to a different class series as provided in RSA 21-I:54 and shall not require the approval of governor and council.

III. The commissioner of the department of information technology may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation of information technology functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of information technology functions.

103 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2019, the liquor commission, for purposes of supporting merchant card activity, may:

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

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

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

104 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For the biennium ending June 30, 2019, the public utilities commission shall not expend any funding on the implementation of an energy efficiency resource standard or change the system benefits charge without prior approval of the fiscal committee of the general court, except as consistent with or authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.

105 Electric Renewable Portfolio Standards; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing, special fund shall be continually appropriated to the commission to be expended in accordance with this section. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. ~~[Of the moneys paid into the fund, the amount of \$520,000 for fiscal year 2016 shall be transferred to the division of homeland security and emergency management for the purpose of disaster and emergency response preparedness and coordination to help minimize utility and other disruptions resulting from natural or manmade disasters.]~~ Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the commission to support thermal and electrical renewable energy initiatives. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the commission as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the commission due to the inclusion of useful thermal energy in class I production.

106 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2019, the department of education may, subject to the approval of the governor and council, to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations made in accounting unit 06-56-56-562010-7534 (NH Scholars Program).

107 Regional Career and Technical Education; Program. Amend the introductory paragraph of RSA 188-E:5, V to read as follows:

V. Regional career and technical education centers shall, on a space available basis, enroll any student requesting enrollment who has attended ~~[2 years]~~ **one year** of high school regardless of the number of academic credits earned, except that the Manchester school district shall, on a space available basis, enroll and bear the associated costs for any Manchester school district student in grades 9-12 who resides in the city of Manchester and who requests enrollment in a regional career and technical education center within the district, provided that in either case:

108 New Subdivision; Governor's Scholarship Program. Amend RSA 4-C by inserting after section 30 the following new subdivision:

Governor's Scholarship Program

4-C:31 Definitions. In this subdivision:

I. "Eligible educational or training program" means any institution within the university system of New Hampshire as defined in RSA 187-A, any institution within the community college system of New Hampshire as defined in RSA 188-F, or any post-secondary training or education program within this state that is approved by the office.

II. "Office" means the governor's office of strategic initiatives.

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

4-C:32 Program Established. There is hereby established the governor's scholarship program in the office of strategic initiatives which shall be administered by the office. The program shall provide scholarships of

up to \$5,000 toward the costs of an eligible educational or training program. The office shall determine how and when scholarship funds shall be distributed, and may elect to distribute funds to an individual in a lump sum or over a period of months or years. All scholarships granted under this subdivision shall be applied toward the costs of an eligible education or training program.

4-C:33 Eligibility.

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

(a)(1) A person shall meet the residency requirements of RSA 193:12, and be a graduate of a high school, public academy, chartered public school, or a high school-level home education program as defined in RSA 193-A, and have completed at least 3 years of high school in this state; or

(2) A person shall be a graduate of a preparatory high school outside of this state while a dependent of a parent or legal guardian who is a legal resident of this state and who has custody of the dependent; or

(3) A person shall have a parent or guardian who has served in or has retired from the United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a resident of this state; or

(4) A person shall be a graduate of a high school, public academy, chartered public high school, or a high school-level home education program outside of this state but have maintained his or her primary residence in this state for not less than 5 years preceding the date of application for a scholarship.

(b) A person shall meet the qualifications for academic performance or work experience as established by the office.

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

4-C:34 Governor's Scholarship Fund Established.

I. There is hereby established in the office of the state treasurer the governor's scholarship fund which shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the benefit of eligible residents of the state pursuing programs of study or training at an eligible educational or training program within the state.

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

III. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the office for purposes of providing scholarships under this subdivision.

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

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

4-C:35 Procedures. The office shall adopt procedures necessary to administer the provisions of this subdivision.

109 New Subparagraph; Application of Receipts; Governor's Scholarship Fund. Amend RSA 6:12, I(b) by inserting after paragraph (333) the following new subparagraph:

(334) Moneys deposited into the governor's scholarship fund established in RSA 4-C:34.

110 Repeal. RSA 176:16-a, relative to liquor commission revenue shortfalls and reports, is repealed.

111 Department of Revenue Administration; Reference Change; Document Processing to Taxpayer Services. Amend RSA 21-J:2, II and III to read as follows:

II. The commissioner shall nominate a director, division of audits, a director, division of ~~document processing~~ **taxpayer services**, a director, division of collections, and a director, division of municipal and property, for appointment by the governor, with the consent of the council. These division directors shall serve at the pleasure of the commissioner. The directors of the divisions shall be qualified by reason of professional competence, education, and experience.

III. The salaries of the commissioner and the director, division of audits, the director, division of ~~document processing~~ **taxpayer services**, the director, division of collections, and the director, division of municipal and property, shall be as specified in RSA 94:1-a.

112 Department of Revenue Administration; Taxpayer Services Division Created; Document Process Division Eliminated. RSA 21-J:12 is repealed and reenacted to read as follows:

21-J:12 Taxpayer Services Division. There is established within the department the division of taxpayer services, under the supervision of an unclassified director of taxpayer services who shall be responsible for:

- (a) Processing all tax returns and payments filed with the government.
- (b) Providing general assistance to the public for all taxes administered by the department.
- (c) Maintaining and reconciling taxpayer accounts within the department's account management systems.

113 Department of Revenue Administration; Director of Taxpayer Services Division; Position Established.

I. There is established within the department of revenue administration the unclassified position of director of the taxpayer services division. The salary for the position shall be as set forth in RSA 94:1-a.

II. The salary of the director of the taxpayer services division shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of the taxpayer services division, position 9U104 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of the taxpayer services division. Funding shall be transferred into the division of taxpayer services accounting unit. The incumbent in the abolished unclassified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of director of the division of taxpayer services.

114 Repeal. RSA 21-J:6-c, central tax services unit within the department of revenue administration, is repealed.

115 Department of Safety; Places of Assembly; Definitions. Amend RSA 155:17, II to read as follows:

II. "Licensing agency" shall mean the chief of the fire department, the firewards or engineers, if any, otherwise the selectmen of the town or the commissioners of village district as the case may be~~[-or in the case of assemblies occurring on state waters, or ice formed on state waters, the commissioner of the department of safety or designee].~~

116 Department of Safety; Places of Assembly; Licensing. Amend RSA 155:18 to read as follows:

155:18 License Required. No person shall own or operate a place of assembly within this state unless licensed so to do by the licensing agency of the city, town, or village district where said place of assembly is located, ~~[or in the case of]~~ **including** assemblies occurring on state waters~~[-]~~ or ice formed on state waters, ~~[the commissioner of the department of safety or designee,]~~ in accordance with the regulations herein promulgated. In the application of this act to existing places of assembly the licensing agency may modify such of its provisions as would require structural changes if in his or her opinion adequate safety may be obtained otherwise and provided that a permanent record is kept of such modifications and the reasons therefor.

117 Transportation; Definitions. Amend RSA 228:1, VII to read as follows:

VII. "Project" means any construction, reconstruction, alteration, or maintenance of any highway, bridge, **building, plant, fixture, facility** or other item directly related to transportation. The term shall not include construction, reconstruction, alteration, or maintenance of buildings, plants, fixtures, or facilities formerly administered through the department of transportation, division of public works, or matters managed by the department of administrative services, division of public works design and construction.

118 Department of Transportation; Eminent Domain; Occasion for Layout by Governor and Council. Amend RSA 230:13, I to read as follows:

I. The governor, with advice of the council, may determine upon hearing whether there is occasion for the laying out or alteration of a class I or class II highway or a highway within the state included in the national system of interstate highways as proposed by the commissioner of transportation, and, if so, ~~[shall appoint a commission of 3 persons who]~~ **the commissioner** may purchase land or other property that is reasonably necessary for the construction, reconstruction, or alteration and who shall lay out the remainder of such highway or alteration. Any such land or property which cannot be acquired by agreement with the owner or owners thereof may be acquired in accordance with RSA 498-A and all issues that are appealed relating to necessity, public use, and net public benefit shall be determined in accordance with RSA 230:19. Property rights acquired under the provisions of this section shall be in fee simple or in the form of easements, including property acquired by condemnation proceedings.

119 Layout of State Highways; Notice of Hearing. Amend RSA 230:17 to read as follows:

230:17 Layout of State Highways; Notice of Hearing. The governor with the advice of the council, or the commission appointed by the governor with advice of the council, at least 14 days previous to **a public hearing as provided in RSA 230:19**, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out. **Other meetings shall be noticed in accordance with RSA 91-A.**

120 Limited Access Highways; Occasion for Layout; Layout. Amend RSA 230:45 to read as follows:

230:45 Occasion for Layout; Layout. The governor, with the advice of the council, on the governor's own motion or a special committee of 3 persons appointed by the governor and council for the purpose, may determine, upon hearing, whether there is occasion for the laying out or alteration of a limited access facility including service roads as proposed by the commissioner of transportation; and, if so, ~~[the governor, with the advice of the council, shall appoint a commission of 3 persons who]~~ **the commissioner** may purchase land or other property as proposed and ~~[who]~~ shall lay out the remainder of such facility, service roads, or alteration thereof. The commission appointed by the governor and council to lay out any limited access facility may acquire private or public property and property rights for such facility and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as provided for acquiring property for class I highways. Property rights acquired under the provisions of this section may be in fee simple or in the form of easements, including property acquired by condemnation proceedings. The ~~[commission]~~ **commissioner**, in ~~[its]~~ **his or her** discretion, may acquire an entire lot, block, or tract of land if, by so doing, the interests of the public will be best served even though the entire lot, block, or tract is not immediately needed for the right-of-way proper. The commissioner of transportation, with the approval of the governor and council, may sell, convey, transfer, or lease any surplus property, real or personal, at public or private sale.

121 Highways; Definition. Amend RSA 229:1 to read as follows:

229:1 Highways Defined. Highways are only such as are laid out in the mode prescribed therefor by statute, or roads which have been constructed for **or are currently used for motor vehicle, bicycle, or pedestrian** public travel over land which has been conveyed to a city or town or to the state by deed of a fee or easement interest, or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located, or roads which have been used as such for public travel, other than travel to and from a toll bridge or ferry, for 20 years prior to January 1, 1968, and shall include the bridges thereon. **Highway does not include any bridge, trail, or path intended for use by off highway recreational vehicles, as defined in RSA 215-A:1, or snowmobiles, as defined in RSA 215-C:1.**

122 Discontinuance of Relocated Portions of Class I and Class II Highways Acquired in 1945 or Earlier. Amend RSA 230:55 through RSA 230:58 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes **for property acquired by the state in 1945 or earlier, the commissioner** ~~[he]~~ shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. **Notwithstanding any provision of law to the contrary, the commissioner may discontinue and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA 4:39.**

230:56 Determination by Selectmen. The selectmen of such town within 60 days after receiving such notice **regarding property acquired by the state in 1945 or earlier**, shall determine, after notice to the

owners of land or abutting owners given in the same manner as provided for in the laying out of highways by selectmen, and hearing, whether there is occasion for the use of such portion for town highway purposes and shall notify the commissioner of transportation, in writing, of their determination.

230:57 Reversion to Town. Upon the filing of notice with the commissioner of transportation that such occasion exists, or, in the event that the selectmen fail to take any action or notify the commissioner of transportation in writing of their determination within 60 days after the receipt of notice from ~~[him]~~ **the commissioner regarding property acquired by the state in 1945 or earlier**, the right-of-way over such portion of land and title to any interest held by the state in such portion shall thereupon revert to or vest in such town, and the commissioner of transportation shall so certify in writing under oath to the selectmen, and the highway shall thereupon become a class V or class VI highway.

230:58 Notice of Discontinuance. **Regarding property acquired by the state in 1945 or earlier**, upon the filing of notice with the commissioner of transportation that such occasion does not exist, the commissioner shall post notice in 2 public places in such town that such portion of highway is thereupon discontinued.

123 Discontinuance of Relocated Portions of Class I and Class II Highways; Assessment of Damages. Amend RSA 230:61 to read as follows:

230:61 Assessment of Damages. Any person who sustains damages because of such discontinuance **of property acquired by the state in 1945 or earlier** may petition for the assessment of damages to the superior court in the county in which such discontinued portion of highway is located within 60 days from the posting of notice of discontinuance, and not thereafter, and the court shall assess such damages, if any, by jury.

124 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2019.

125 Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development. The provisions of RSA 78-A:26, I(b), crediting a portion of meals and rooms tax revenue to the division of travel and tourism development, are hereby suspended for the biennium ending June 30, 2019.

126 Joint Committee on Legislative Facilities; Meetings; Transfers. Amend RSA 17-E:4 and 17-E:5 to read as follows:

17-E:4 Meetings. The committee shall meet ~~[on a regular stated date monthly]~~ **as needed** and at such other times at the call of the chair or upon written request of 4 members and any such special meeting shall be held within 5 days of such call or request.

17-E:5 House and Senate Subcommittees. The house members, with the speaker as chairperson, shall be a subcommittee for legislative management for the house; and the senate members, with the president as chairperson, shall be a subcommittee for legislative management of the senate. All **individual** transfers within the house or senate appropriations **in excess of \$75,000** and all salaries of legislative attaches and other employees unless otherwise specifically provided by statute shall require the approval of the respective subcommittee. The salaries as determined hereunder shall be a charge upon the appropriation made for the legislature.

127 Legislative Branch; Special Account. Amend 2011, 224:217, II, as amended by 2013, 144:102 and 2015, 276:214, to read as follows:

II.(a) The legislative accountant shall allocate the original \$3,000,000 special legislative account into 4 separate and equal subaccounts. Individual subaccounts shall be established for the senate, the house of representatives, the joint offices, and the office of legislative budget assistant. Beginning in fiscal year 2013 and for fiscal year 2014, any unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, provided that no subaccount balance shall exceed \$750,000. All unexpended and unencumbered appropriations remaining at the close of the fiscal year shall lapse to the general fund.

(b) ~~[Beginning in]~~ **For** fiscal year 2015 and ~~[each year thereafter]~~ **fiscal year 2016**, unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, provided that no subaccount balance shall exceed \$750,000. Any remaining unexpended and unencumbered appropriations shall not lapse.

(c) Beginning in fiscal year 2017 and for each fiscal year thereafter, unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount.

128 Joint Committee on Legislative Facilities; Funds. Amend 2011, 224:217, III to read as follows:

III. Funds may be transferred from the senate's subaccount with ~~[prior approval]~~ **notification** of the senate subcommittee established pursuant to RSA 17-E:5. Funds may be transferred from the house of representatives' subaccount with ~~[prior approval]~~ **notification** of the house subcommittee established pursuant to RSA 17-E:5. Funds may be transferred from the joint offices' subaccount with ~~[prior approval]~~ **notification** of the joint committee on legislative facilities established pursuant to RSA 17-E:1. Funds may be transferred from the office of legislative budget assistant's subaccount with ~~[prior approval]~~ **notification** of the fiscal committee of the general court established pursuant to RSA 14:30-a. ***Any individual transfer from a subaccount in excess of \$75,000 shall require the prior approval of the applicable subcommittee or committee.***

129 Governor's Commission on Disability; Newslane for the Blind; Funding. Amend RSA 275-C:8-a to read as follows:

275-C:8-a Newslane for the Blind; Funding. Beginning July 1, ~~[2007]~~ **2017**, and in each fiscal year thereafter, the sum of ~~[\$28,000]~~ **\$31,500** is hereby appropriated to the governor's commission on disability for the purpose of funding the National Federation of the Blind's "Newslane for the Blind," an information and news service that provides individuals who are otherwise unable to read newsprint with access to existing newspapers and other printed materials. Said funds shall be a charge against the telecommunications relay service trust fund established by the public utilities commission.

130 Revenue Stabilization Reserve Account. Amend RSA 9:13-e, V to read as follows:

V. If, after the requirements of paragraphs II-IV have been met and the balance remaining in the revenue stabilization reserve account is in excess of an amount equal to 10 percent of the actual general fund unrestricted revenues for the most recently completed fiscal year, then such excess, ***less any amounts deposited pursuant to RSA 7:6-e***, shall be transferred, without further action, to the general fund surplus account.

131 New Subparagraphs; Revenue Information Management System Account; State Heating System Savings Account. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraphs:

(334) Money deposited in the revenue information management system account under RSA 21-J:1-b.

(335) Money deposited in the state heating system savings account established under RSA 21-I:19-ff.

132 New Section; Revenue Information Management System Account. Amend RSA 21-J by inserting after section 1-a the following new section:

21-J:1-b Revenue Information Management System Account.

I. There is hereby established a non-lapsing, continually appropriated revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. Said funds shall not be used for any other purpose.

II. The revenue increase from existing taxes attributable to the RIMS collected by the department and deposited in the revenue information management system account shall be no greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, 2022, and ending in the fiscal year ending June 30, 2031. The commissioner shall report annually on the methodology used to determining the revenue increase to the capital budget overview committee and house and senate ways and means committees.

III. In addition to the amounts in paragraph II for the biennium ending June 30, 2019, the state treasurer shall deposit any excess general fund appropriation for debt service into the revenue information management system account for prepayment of bonds issued to finance RIMS once the bonds can be called.

IV. Any moneys remaining in the account after the final payments have been made shall lapse to the general fund.

133 New Section; Department of Administrative Services; State Heating System Savings Account. Amend RSA 21-I by inserting after section 19-f the following new section:

21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative

services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and continually appropriated to the department of administrative services and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.

134 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. Amend 2016, 329:1 to read as follows:

329:1 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of \$130,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, [2017] **2019** for the purposes of [technology upgrades for] the controlled drug prescription health and safety program, established in RSA 318-B:32. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

135 Contingent Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of up to \$100,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, 2019 for the controlled drug prescription health and safety program, established in RSA 318-B:32, and contingent upon approval of the legislative fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

136 Plan for Funding Required. The administrator of the controlled drug prescription health and safety program shall develop a plan for sustainable funding, which shall not include moneys from the general fund, by November 1, 2017. The plan shall be presented in the form of a report to the speaker of the house of representatives, the president of the senate, and the governor on or before November 2, 2017.

137 Revenue for the National Guard Scholarship Fund. Amend RSA 110-B:61 to read as follows:

110-B:61 Revenue for Scholarship Fund. All revenue received from sources other than governmental agencies during any fiscal year from the rental of all national guard armories in this state shall be credited by the state treasurer to the New Hampshire national guard scholarship fund as established in RSA 110-B:60. ***Revenues for the national guard scholarship fund shall include an annual appropriation, as determined by the general court, to be awarded by the scholarship committee under this subdivision.***

138 Minimum Prices; Milk. Amend RSA 434:56 to read as follows:

434:56 Establishment of Minimum Producer Dairy Prices. ~~[Notwithstanding the provisions of RSA 184:106-110, the]~~ **The** commissioner, after consulting with the ~~[milk producers emergency relief fund]~~ **agricultural advisory** board, may establish by order an equitable minimum price to be paid to milk producers for raw milk produced in New Hampshire on the basis of the use thereof in the various classes, grades and forms. The commissioner, after consulting with the **agricultural advisory** board, may from time to time make, amend or rescind an order if the commissioner finds that the federal milk marketing order covering New Hampshire is adequate or inadequate as the case may be to ensure a stable raw milk production and distribution system in the state. ***In no case shall the commissioner establish by order a price greater than the average price established for comparable classes, grades and forms of raw milk in the contiguous states.***

139 Reference Deleted; Milk Producers Emergency Relief Fund. Amend RSA 425:2-a, II(i) to read as follows:

(i) The New Hampshire dairy industry is vital to the state's economy. It impacts state and local economies via millions of dollars in total economic output, thousands of jobs and millions more dollars in labor income. ~~[The dairy industry should be further supported through the milk producers emergency relief fund as specified in RSA 184:107, and other methods that will encourage the success of the state's dairy industry.]~~

140 Repeal. The following are repealed:

I. RSA 184:106-110, relative to the milk producers emergency relief fund.

II. RSA 6:12, I(b)(268), relative to the milk producers emergency relief fund.

141 Department of Corrections; Appropriation for Scanners in State Correctional Facilities. Amend 2016, 263:4 to read as follows:

263:4 Appropriation; Department of Corrections; Scanners for State Correctional Facilities. In addition to any other funds appropriated to the department of corrections, the sum of \$1,110,000 for the fiscal year ending June 30, [2017] **2019** is hereby appropriated to the department, **\$1,000,000 of which shall be used** for the purchase and installation of [6] full body security scanners in [the] state correctional facilities, **and \$110,000 of which shall be used to fund 2 canine teams at the department of corrections.** [Three of the scanners shall be installed in the state prison for men in Concord, 2 scanners shall be installed in the northern New Hampshire correctional facility in Berlin, and one scanner shall be installed in the new state prison for women.] The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

142 Department of Corrections; Unfunded Positions. Notwithstanding any provision of law to the contrary, the department of corrections, with prior approval of the fiscal committee of the general court, may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

143 Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31, XI to read as follows:

XI. The state shall reimburse the sheriff's office for prisoner custody and control, within available funds appropriated by the legislature, \$65 for each full day and \$35 for each half day, plus traveling expenses to attend any official business, for any person employed as a sheriff for prisoner custody and control. For the purpose of this paragraph, a half day shall be defined as a day in which a sheriff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing sheriffs, if those costs are the result of job requirements imposed by federal and state governments. **Billing for reimbursement of costs associated with video arraignments shall not be allowed under this paragraph. Custody and control of prisoners for the purpose of video arraignments shall be the responsibility of the county in which the video arraignment occurs, and such custody and control may be exercised by county correctional officers.**

144 Department of Justice; Collections Related to the Merrimack River Flood Control Compact. The department of justice shall undertake every reasonable legal effort to collect all amounts due to the state of New Hampshire as a result of the Merrimack River flood control compact.

145 Regulation of Pharmacies; Price of Filling Prescriptions. Amend RSA 318:47-h, I to read as follows:

I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. **For the purposes of this paragraph, "usual and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this paragraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.**

146 Managed Care Law; Price of Filling Prescriptions. Amend RSA 420-J:7-b, X(a) to read as follows:

(a) A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. **For the purposes of this subparagraph, "usual and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this subparagraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.**

147 Accident and Health Insurance; Price of Filling Prescriptions. Amend RSA 415:26, I to read as follows:

I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. **For the purposes of this paragraph, "usual and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this paragraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.**

148 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development permit from the department of environment services, is suspended for the biennium ending June 30, 2019.

149 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the bien-nium ending June 30, 2019, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M, except that infrastructure projects that had local authorization by December 31, 2008 to construct, but were not listed in 2013, 144:101, shall continue to be eligible for state aid grants subject to availability of funding. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purposes.

150 Workers' Compensation; Definitions. Amend RSA 281-A:2, VII(a)(5) to read as follows:

(5)(A) Any person who assists in a search for or an attempted rescue or rescue of another pursuant to RSA 206:26, XII, after January 1, 1982, and who is voluntarily under the direction of those authorized to give direction in searching for or attempting to rescue or rescuing another. A person who assists in the search for or attempted rescue or rescue of another shall, solely for the purposes of this chapter and not otherwise, be deemed to be an employee of the state with respect to such activity. Any payments required to be made as a result of this paragraph shall be a charge against the general fund.

(B) Any person who is a regularly enrolled volunteer member or trainee of a volunteer search and rescue group recognized by the fish and game department who participates in a co-ordinated training exercise preapproved by the fish and game search and rescue coordinator or participates in a search and rescue mission or attempted search and rescue mission of another, pursuant to RSA 206:26, XII shall, solely for the purposes of this chapter and not otherwise, be deemed to be an employee of the state with respect to such activity. Any payments to be made as a result of this subparagraph shall be a charge against the general fund.

151 Appropriation; Department of Safety; Fire Standards and Training and Emergency Medical Services Fund; Funding.

I. The sum of \$250,000 for the fiscal year ending June 30, 2018 is hereby appropriated to the department of safety for deposit in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d. The state treasurer shall transfer said sum to the fund not later than August 1, 2017. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. It is the intent of the general court to consider future funding options for the fire standards and training and emergency medical services fund during the 2018 regular legislative session.

152 Department of Transportation and Liquor Commission; Feasibility Assessment. The commissioners of the department of transportation and the liquor commission may conduct a feasibility assessment of the existing northbound and southbound liquor and wine outlets sites in the town of Hampton on Interstate 95 to determine the financial viability of constructing, operating, and maintaining a turnpike service plaza for motorists.

153 Department of Transportation; Acquisition of Land. The commissioner of the department of transportation is authorized to acquire land as required for the purpose of constructing, operating, and maintaining a turnpike service plaza for motorists at the existing northbound and southbound liquor and wine outlets in the town of Hampton on Interstate 95. Each turnpike service plaza is intended to be a full service rest area that may include a fueling station, food and beverage service, a convenience store, and a liquor and wine outlet. Any real estate acquired pursuant to this authority shall be exempt from the requirements of RSA 4:40. The value of the land to be acquired shall be based upon an independent appraisal. As part of this conveyance, the liquor commission shall retain title to sufficient land for the future construction of its liquor and wine outlets, which shall be exempt from future taxation or rent in perpetuity.

154 Department of Transportation; Rest Areas, Welcome Centers, and State Liquor Store Sites. In order to better serve the public while utilizing revenue-generating opportunities, the general court supports the idea of commercializing state liquor store sites along the highways and turnpikes. If deemed financially feasible, the commissioner of the department of transportation, subsequent to acquiring a fee simple interest in such state liquor store site's real property for consideration paid, is authorized to issue requests for proposals relative to the leasing, redevelopment and/or concession of these sites, including the use of public/private partnerships to develop and reconstruct the rest areas, welcome areas, and state liquor and wine outlets along the turnpikes and highways as may be necessary to provide full-service centers with food, liquor and wine sales, fuel, and other retail goods and services for the traveling public. Any proposal received shall be evaluated by a selec-

tion committee. The selection committee shall include members of the department of transportation, liquor commission, and department of business and economic affairs. The lease or contract for the redevelopment of said property shall be submitted for approval to the governor and executive council.

155 Liquor Commission; Proceeds From Sale of Land. All proceeds from the sale of any land owned by the liquor commission for the purpose of constructing, operating, and maintaining a turnpike service plaza for motorists at the existing northbound and southbound state liquor and wine outlets in the town of Hampton on Interstate route 95 shall be deposited into the liquor commission fund pursuant to RSA 176:16 and shall be used exclusively to retire existing debt.

156 Airways Toll. Amend RSA 422:34, III to read as follows:

III. The amount of motor fuel or fuel sold to and used in the propulsion of aircraft shall be determined by, and the toll shall be collected by, the director of motor vehicles, under the authority and procedure established by the provisions of RSA 260:30-65-a and the director of motor vehicles may further promulgate and establish such additional rules, regulations, and procedures as the director may deem necessary in the collection and allocation of the airways toll provided herein. In the case of sales of fuel, the airways toll shall be collected at the time of the sale of such fuel, and payment made to the director in the same manner as in the case of motor fuel. The director shall pay monthly to the state treasurer all revenue collected in accordance with the foregoing provisions. ***The treasurer shall credit the revenue to the department as restricted revenue, which shall be continually appropriated to the department and shall not lapse.***

157 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission, in consultation with the department of administrative services, is hereby authorized to purchase, in the name of the state, land and buildings to serve as the lottery commission's headquarters. Such purchase shall be completed during the biennium ending June 30, 2019 and shall require approval of the fiscal committee of the general court and the governor and council.

158 Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist. Amend RSA 200:60 to read as follows:

200:60 Reading Specialist.

I. ~~[There is hereby established in the department of education the position of reading specialist, a temporary classified position until June 30, 2017, which shall be funded by existing sources available to the department.]~~

H. ~~No later than January 1, 2017,~~ The commissioner of the department of education shall ~~[designate]~~ ***issue a request for proposals pursuant to RSA 21-G to secure the contract services of*** a reading specialist to enable the department to provide school districts with the support and resources necessary to assist students with dyslexia and related disorders and their families. The reading specialist shall ***be qualified by education and experience in accordance with paragraph II and shall*** provide technical assistance for dyslexia and related disorders to school districts.

~~[HH.]~~ **II.** The reading specialist shall:

(a) Be trained and certified in best practice interventions and treatment models for dyslexia, with expertise in related disorders, and dysgraphia.

(b) Have a minimum of 3 years of field experience in screening, identifying, and treating dyslexia and related disorders.

(c) Be responsible for the implementation of professional awareness.

(d) Serve as the primary source of information and support for school districts to address the needs of students with dyslexia and related disorders, and dysgraphia.

III. The commissioner shall submit a report assessing the effectiveness of the reading specialist in complying with the requirements of this section, to the speaker of the house of representatives, the senate president, the chairpersons of the house and senate education committees, and the governor no later than November 1, 2018, and annually thereafter.

159 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

I. The adequate education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts from the education trust fund in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department.

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the **comptroller shall transfer sufficient funds from the general fund to eliminate such deficit.** The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of adequate education grants.

III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district or municipality.

~~IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.]~~

160 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(d) to read as follows:

(d) The source of funds for payments under this section shall be moneys from the education trust fund established in RSA 198:39. **The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the state comptroller shall transfer sufficient funds from the general fund to eliminate such deficit. The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of payments. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.**

161 Robotics Education Fund. The subdivision heading preceding RSA 188-E:24 and RSA 188-E:24 are repealed and reenacted to read as follows:

Robotics Education Development Program and Robotics Education Fund

188-E:24 Robotics Education Fund Established. There is established in the office of the state treasurer a nonlapsing fund to be known as the robotics education fund which shall be kept distinct and separate from all other funds. The fund shall be administered by the commissioner of the department of education. The commissioner may accept and expend funds from any public or private source, including private gifts, grants, and donations. All moneys in the fund shall be non-lapsing and shall be continually appropriated to the commissioner of the department of education for the purposes of this chapter.

162 New Section; Robotics Education Development Program. Amend RSA 188-E by inserting after section 24 the following new section:

188-E:25 Robotics Education Development Program.

I. There is established a robotics education development program in the department of education. The purpose of the program is to motivate elementary school students to pursue education and career opportunities in science, technology, engineering, and mathematics, while building critical life and work-related skills. Grants from the robotics education fund established in RSA 188-E:24 shall be available to any eligible public

elementary school or elementary chartered public school for the purpose of financing the establishment of a robotics team and its participation in competitive events. Grant funds shall be limited to the purchase of robotics kits, stipends for coaches, and the payment of associated costs from participation in competitions.

II. The commissioner shall establish eligibility criteria for grants to public elementary schools and elementary chartered public schools which require that the applying school demonstrates:

(a) That it has established a partnership with at least one sponsor, business entity, institution of higher education, or technical school for the purpose of participation in a robotics program; and

(b) That it has developed a budget.

III. A school shall submit a grant application to the department of education, division of career technology and adult learning, bureau of career development, between September 1 and September 30 of each year. Grants shall be awarded no later than October 31 of each year.

IV. The amount of the grant shall be sufficient to cover the costs of establishing and supporting a team for 2 years and shall be disbursed by the commissioner as a single payment. The grant amount shall not exceed \$1,250 per elementary school team.

V. No school shall receive more than one grant every 2 years, however, a school district may receive multiple grant awards.

VI. If the amount of grant funds requested exceeds the balance in the robotics education fund available in any year, the commissioner shall not prorate the grant awards, but shall assign preference to those schools with a higher percentage of students in the school's average daily membership in attendance who are eligible for a free or reduced-price meal as defined in RSA 198:38. Secondary preference shall be given to schools which did not receive a grant in the previous year due to lack of funds.

VII. The commissioner shall adopt rules pursuant to RSA 541-A, relative to developing grant application forms and procedures, and establishing criteria for awarding and disbursing grants.

VIII. No later than July 15, 2018, and annually thereafter, the department shall issue a report to the governor, senate president, speaker of the house of representatives, and the state library, detailing the number of grants awarded, the schools receiving grants and the grant amount, the schools that applied for grants but did not receive a grant due to insufficient funds, and the unencumbered balance of the robotics education fund.

163 Controlled Drug Act; Professional Use of Narcotic Drugs. Amend RSA 318-B:10, VII(c) to read as follows:

(c) Providers may operate a methadone detoxification or methadone maintenance program, or both, in the state of New Hampshire only if the providers are certified to operate pursuant to rules adopted under subparagraph VII(b). ~~[In implementing subparagraph VII(b), the commissioner shall not use the interim rulemaking process in RSA 541-A:19.]~~

164 Emergency Heat and Hot Water System Purchase and Replacement; Appropriation. The sum of \$2,500,000 is hereby appropriated to the department of administrative services from the unexpended appropriations for the fiscal year ending June 30, 2017 in accounting unit 06-56-56-560010-5137-077, building aid - education, and, if unexpended appropriations in that accounting unit are insufficient, from any amount not otherwise appropriated in the fiscal year ending June 30, 2017 upon a warrant of the governor, to be disbursed to the Concord school district no later than September 1, 2017, which shall be used to mitigate the impact to the Concord school district due to the closure of Concord Steam Corporation. The Concord school district is authorized to expend such appropriation for the purpose set forth in this section. The Concord school district shall advise the commissioner of the department of administrative services of the cost and expenditures estimates relating to the project.

165 New Subparagraph; Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, I(e) by inserting after subparagraph (2) the following new subparagraph:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j).

166 Dispositional Hearing. Amend RSA 169-B:19, VI to read as follows:

VI. A minor committed to the youth development center for the remainder of minority may be placed at any facility certified by the commissioner of the department of health and human services for the commitment of minors. The commissioner of the department of health and human services shall be responsible for notifying

the court, within 5 business days, of any such placement and of any subsequent changes in placement made within 60 days of the original placement. ***The commissioner shall maintain certification of at least one Medicaid-eligible residential treatment facility for the transfer pursuant to this paragraph of offenders other than serious violent offenders beginning January 1, 2018, and no fewer than 2 such facilities no later than July 1, 2018. For purposes of this section, a "serious violent offender" is a minor subject to a commitment order for a serious violent offense as defined in RSA 169-B:31-c. The process for identification and certification of residential treatment facilities under this subparagraph may include consultation with the operators of existing facilities in the state about their physical and programmatic capacity and the identification of any necessary enhancements in programming or rate structure to develop the resources required by this subparagraph.***

167 New Section; Limits on Extended Detention. Amend RSA 169-B by inserting after section 16 the following new section:

169-B:16-a Limits on Extended Detention Following Adjudicatory Hearing. Following the initial dispositional order issued pursuant to RSA 169-B:19 regarding a charge or charges arising out of a single incident, a child shall not be securely detained for a period or periods totaling longer than 21 days while awaiting placement or a hearing regarding a change of disposition, or for any other purpose. The court may permit extended detention beyond this limit if it finds by clear and convincing evidence that extended detention is necessary for the safety of the child or the public and the child consents with the assistance of counsel. In any case involving a child who is detained, the court shall ensure that the child is continuously represented by counsel during any period of detention. In cases where extended detention is permitted pursuant to this section, the court shall hold review hearings with the child and counsel present on a weekly basis to determine whether detention continues to be justified.

168 Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the minor has not waived the right to counsel at any stage of the proceedings. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. ***Commitment under this subparagraph shall not be ordered as a disposition for a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult. However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.***

169 New Section; Dispositions and Case Closure in Certain Cases. Amend RSA 169-B by inserting after section 31-b the following new section:

169-B:31-c Dispositions and Case Closure in Certain Cases.

I. Notwithstanding any other provision of this chapter, the court shall close all cases other than those involving serious violent offenses no later than 2 years after the date of adjudication. This section shall not apply if, with the assistance of counsel, the minor consents to continued jurisdiction.

II. In this section, "serious violent offenses" mean first degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault,

except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony.

170 Youth Development Center; Releases and Discharges. Amend RSA 621:19, I-a to read as follows:

I-a. The board shall release, pursuant to paragraph I, any child committed to its care for a delinquency adjudication based on an offense other than a violent crime as defined in RSA 169-B:35-a no later than 6 months from the date of the child's commitment pursuant to RSA 169-B:19, I(j), unless the board determines that continued commitment is necessary in order to protect the safety of the child or the community, and in such case declines to release the child. ***Such release shall occur no later than 3 months from the date of the child's commitment if the offense would be a misdemeanor if committed by an adult.*** If the board declines to release a child pursuant to this paragraph, it shall provide written notice to the child of his or her right to seek review of the board's decision, of his or her right to the assistance of counsel during the review process, and of the procedure the child may follow to initiate such a review. ***If the board declines to release a child pursuant to this paragraph, it shall consider the child for release no later than 2 months after its initial decision, and every 2 months thereafter until the child is released. If the board declines to release a child pursuant to this paragraph on a second or subsequent occasion, it shall notify the court that committed the child, and the court shall appoint counsel in each such case to assist the child in filing a petition pursuant to paragraph I-b.*** Parole review and release under this paragraph are not required during the period that a child is the subject of a delinquency petition which is awaiting adjudication or disposition.

171 New Paragraph; Youth Services Center; Releases and Discharges. Amend RSA 621:19 by inserting after paragraph III the following new paragraph:

IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony which has as an element the actual or attempted infliction of injury upon another person within the previous 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.

172 Alternative Placement Capacity for Youth; Reporting Requirement. In furtherance of the duty of the department of health and human services under RSA 170-G:4 to "[p]rovide services for all children and youth referred to it by the district courts pursuant to RSA 169-B," the commissioner shall evaluate the adequacy of the service system and ensure that sufficient alternative placement capacity is in place for those children who are not serious violent offenders who prior to this act would have been placed at the Sununu youth services center. On or before September 1, 2017, a plan for development of such capacity of minors who are not serious violent offenders shall be provided to the fiscal committee of the general court, and the plan shall be updated on a monthly basis until it is fully implemented. The plan shall provide for an increase in the state's capacity for placement in Medicaid-eligible settings of not less than 35 minors who will no longer be eligible for placement at the Sununu youth services center. The increase in capacity of minors who are not serious violent offenders shall be implemented no later than January 1, 2018, and include a rate structure which supports the staffing ratios and other resources necessary for the safe and effective treatment of such children in residential and other treatment settings. The rate structure shall be submitted to the fiscal committee for approval prior to January 1, 2018. If necessary, the plan shall provide for a process for re-establishing cost-based rate-setting rules and procedures which may have expired.

173 Sununu Youth Services Center. The commissioner of the department of health and human services, in consultation with the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, established in RSA 12-J, shall redevelop the excess capacity at the Sununu youth services center, to be used for an inpatient and outpatient drug treatment facility for eligible youth. All contracts, plans, and specifications therefor for the redevelopment in this section shall be awarded in accordance with the provisions of RSA 21-I. The commissioner shall issue an RFP for the purpose of operating the new inpatient and outpatient drug treatment facility for eligible youth at the Sununu youth services center.

174 Appropriation; Department of Health and Human Services. The sum of \$2,000,000 is hereby appropriated for the fiscal year ending June 30, 2018 to the department of health and human services for the purpose

of funding the construction of an alcohol and drug abuse treatment facility at the Sununu youth services center. This sum shall be a charge against amounts appropriated to accounting unit 05-95-49-491510-2989, governor commission funds, in fiscal year 2017.

175 Funding for Operational Costs of the Sununu Youth Services Center. For the biennium ending June 30, 2019, funds determined by the commissioner of the department of health and human services to be necessary for the operational costs of the Sununu youth services center and the alcohol and drug abuse treatment facility at the Sununu youth services center may be funded from the amounts appropriated to account 05-95-92-920510-3382, governor commission funds. Transfers from account 05-95-92-920510-3382 deemed by the commissioner of the department of health and human services to be necessary for this purpose shall not require prior approval of the fiscal committee of the general court.

176 Worker Displacement. To the extent permitted by existing law and collective bargaining agreements, employees affected by the provisions of sections 165-177 of this act shall be given the highest priority for transfer to vacant positions, job retraining, and recall rights. In addition, employees who are within 5 years of regular retirement eligibility with the New Hampshire retirement system may request and shall be granted early retirement. Any required retirement payments under this provision shall be funded by the state of New Hampshire. Employees receiving early retirement under this provision shall relinquish future recall rights.

177 Applicability.

I. RSA 169-B:19, I(j), as amended by section 168 of this act, shall apply to cases pending on or after March 1, 2018 in which a dispositional order has not yet been entered.

II. RSA 169-B:31-c, as inserted by section 169 of this act, shall apply to cases commenced after July 1, 2016.

III. RSA 621:19, I-a, as amended by section 170 of this act, shall apply to minors confined pursuant to a commitment order issued pursuant to RSA 169-B:19, I(j) after October 1, 2017.

IV. RSA 621:19, IV, as inserted by section 171 of this act, shall apply to cases in which a minor is committed to the Sununu youth services center or any successor facility after October 1, 2017.

178 Rate-setting. To the extent possible within available appropriations, the department of health and human services shall engage in a rate-setting process which is based on providers' reasonable costs of providing those services needed to implement the provisions of sections 165 through 177 of this act.

179 Funding of Alternative Placement Capacity for Youth. Notwithstanding any other provision of law, no less than \$8,714,632 of the funds appropriated in account 05-95-42-421010-2958, class 535, shall be expended during the biennium ending June 30, 2019, to fund rate increases and additional capacity for out-of-home placements pursuant to the duties of the commissioner of health and human services in section 172 of this act. These funds may not be transferred or utilized for any other purpose.

180 New Hampshire Partnership for Long-Term Care Plan. The New Hampshire Association of Counties, in consultation with the county-state finance commission, shall develop a New Hampshire partnership for long-term care plan. The plan shall address services for New Hampshire's population that is eligible for Medicaid for nursing home level of care, including those services provided under the choices for independence program. The plan shall account for demographic changes in New Hampshire, availability of non-nursing home community based services, and ensuring the least restrictive care available. The plan shall include methods for funding and management of programs that balance the interests of county, state, and federal payers into the system. Development of the plan shall include a process for meaningful input from affected persons. The New Hampshire Association of Counties shall submit to the governor, the speaker of the house of representatives, and the president of the senate a preliminary report by March 1, 2018 and a final report by September 1, 2018.

181 Appropriation; Health and Human Services; New Hampshire Partnership for Long-Term Care Plan. The sum of \$100,000 is hereby appropriated to the department of health and human services for the biennium ending June 30, 2019 for the purpose of funding the New Hampshire Association of Counties, development of a New Hampshire partnership for long-term care plan. This appropriation shall be contingent upon a 50 percent match by the county governments. The New Hampshire Association of Counties shall notify the commissioner of the department of health and human services once the match has been obtained. Upon notification, the commissioner shall distribute the appropriation to the New Hampshire Association of Counties. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

182 New Subparagraph; Commissioner's Duties; Medicaid Managed Care Program; Prior Authorization. Amend RSA 126-A:5, XIX by inserting after subparagraph (f) the following new subparagraph:

(g)(1) By July 15, 2017, the commissioner shall develop a universal online prior authorization form for drugs used to treat mental illness and require community mental health centers and managed care organizations to use such form by September 1, 2017. A reasonably completed prior authorization request submitted using the online form shall be approved or denied by the close of the next business day. Failure to meet this time frame shall be deemed automatic approval. If the prior authorization is denied, the prescribing provider may request a peer-to-peer review with a licensed psychiatric specialist with prescribing privileges by the close of the next business day. Failure by the managed care organization to provide such review by the close of the next business day shall be deemed automatic approval unless the prescribing provider fails to participate in the peer-to-peer review within that time period.

(2) Prior authorization for drugs prescribed by community mental health centers for treatment of severe mental illness shall be suspended if the deadlines under this subparagraph are not met, or if the commissioner determines there is a pattern of missed deadlines for peer-to-peer reviews following denials, or if at any time the commissioner determines such suspension is necessary to promote the behavioral health and well-being of New Hampshire's citizens being served under Medicaid managed care.

(3) The commissioner shall monitor compliance under this subparagraph and shall report quarterly through December 31, 2018 to the fiscal committee of the general court relative to adherence to all such requirements including the rate of denial.

183 Special Medicaid Representatives; Applicability. Amend 2016, 265:2 to read as follows:

265:2 Applicability. The implementation of RSA 151-I as inserted by section 1 of this act shall be subject to written approval by the Centers for Medicare and Medicaid Services. If required, the commissioner of the department of health and human services shall develop and prepare amendments to the state Medicaid plan for submission and approval to the Centers for Medicare and Medicaid Services (CMS). ~~[The commissioner shall seek and have in place approval from the CMS by December 31, 2016.]~~ The commissioner shall certify the date of approval to the secretary of state and the director of legislative services.

184 Department of Health and Human Services; Division for Children, Youth, and Families.

I. For the biennium ending June 30, 2019, the rates for services, placements, and programs that are payable by the department pursuant to RSA 169-B:40, RSA 169-C:27, and RSA 169-D:29 may be increased provided that total expenditures do not exceed the appropriations for these services contained within the operating budget for fiscal year 2018 and fiscal year 2019.

II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for Medicaid eligible services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization.

185 Advisory Board on Services for Children, Youth, and Families; Legislative Members. Amend RSA 170-G:6-a, I to read as follows:

I. There is hereby established a board to advise the department of health and human services on services for children, youth, and families. The board shall consist of 12 members and such additional members as may be necessary to comply with federal regulations for the acceptance of federal funds or to ensure representation of every county. Each member shall serve a term of 3 years; ***provided that legislative members shall serve a term coterminous with their term in office.*** A member shall continue to serve until a successor is appointed in the same manner as the original appointment. The board shall be representative of persons from community youth service agencies; from the juvenile justice field, such as law enforcement, probation, police, courts, and attorneys; and from appropriate professional fields such as psychology, social services, education, and health. Members of the board shall serve without compensation but shall receive mileage payments at the state employee rate within the limits of funds appropriated to the department.

186 Advisory Board on Services for Children, Youth, and Families; Legislative Members. Amend RSA 170-G:6-a, II(b) and (c) to read as follows:

(b) The senate president shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of ***health and human services, division for*** children, youth and families.

(c) The speaker of the house shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of ***health and human services, division for*** children, youth and families.

187 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services, with prior approval of the fiscal committee of the general court, may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

188 Designated Receiving Facility for Persons with Developmental Disabilities on the Grounds of the Laconia State School Property; Plan for Relocation Required. The commissioner of the department of health and human services shall develop a plan to relocate the individuals with developmental disabilities currently placed at the designated receiving facility on the grounds of the Laconia state school property by June 30, 2021. The plan shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before September 1, 2019, with the intention that it be implemented during the biennium ending June 30, 2021.

189 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for the fiscal years ending June 30, 2018 and June 30, 2019 may be transferred to another qualified agency upon certification by the governor to the commissioner of the department of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2017, the unexpended portion of the appropriation shall be transferred.

190 Designated Receiving Facilities; Residential Beds.

I. The commissioner of the department of health and human services shall issue a request for applications (RFA) from qualified vendors to establish up to 20 designated receiving facility beds for up to 2 years. The designated receiving facilities, as defined in RSA 135-C:26, shall service individuals with severe mental illness who meet the criteria for involuntary emergency admission. The RFA shall be issued no later than June 30, 2017.

II. The commissioner of the department of health and human services shall issue a request for applications (RFA) from qualified vendors for 20 transitional and community residential beds for the fiscal year ending June 30, 2018 and up to 40 transitional and community residential beds for the fiscal year ending June 30, 2019 with wrap-around services and supports for individuals, prioritizing those who are transitioning from New Hampshire hospital and designated receiving facilities. The RFA shall be issued no later than June 30, 2017 and the housing shall be operational by October 1, 2017.

191 Plan Required for Removal of Certain Persons From New Hampshire Hospital. The commissioner of the department of health and human services shall develop a plan to safely remove the remaining 24 youths from the New Hampshire hospital and to ensure that they continue to receive the care they need by November 1, 2017. The commissioner shall make a report relative to the plan which shall be submitted to the speaker of the house of representatives, the president of the senate, the chairs of the house and senate committees having jurisdiction over health and human services, and the governor on or before November 2, 2017.

192 Peer Crisis Respite Beds. The commissioner of the department of health and human services shall issue a request for proposals (RFP) from peer support agencies for up to 8 peer crisis respite beds. The RFP shall be issued no later than June 30, 2017.

193 Mobile Crisis Teams and Apartments. The commissioner of the department of health and human services shall issue a request for proposals (RFP) for a mobile crisis team and apartments from qualified vendors. The RFP for the mobile crisis team and apartments shall be issued no later than June 30, 2017 and operational no later than January 1, 2018. Any new mobile crisis teams shall be established in geographic locations that have high rates of admissions to and discharges from New Hampshire hospital.

194 Integrated Data Management System. The commissioner of the department of health and human services and the commissioner of the department of information technology shall issue a request for proposals (RFP) from vendors to develop and implement an integrated data management system that provides real-time information about the availability of involuntary and voluntary inpatient psychiatric beds in the state of New Hampshire. The RFP shall be issued no later than September 1, 2017. The system shall be operational no later than January 1, 2018.

195 Evaluation Required. The commissioner of the department of health and human services shall issue a request for proposals (RFP) for an independent evaluation of the capacity of the current health system

in New Hampshire to respond to the inpatient, acute care psychiatric needs of patients, including, but not limited to, those patients who require involuntary emergency admissions, as defined in RSA 135-C. The commissioner shall seek non-state general funds to pay for the evaluation. The RFP shall be issued no later than June 30, 2017 and the evaluation shall be completed by November 1, 2017.

196 Department of Health and Human Services; Associate Commissioner of Health and Human Services; Position Established. RSA 126-A:9, I(a) is repealed and reenacted to read as follows:

(a) Subject to the approval of the governor and council, the commissioner of health and human services shall appoint an associate commissioner, who shall serve for a term of 4 years. The associate commissioner shall perform such duties as may be assigned by the commissioner, which shall include oversight of the division for children, youth and families and assigned responsibilities of the department under RSA 170-G. The annual salary of the associate commissioner shall be as prescribed in RSA 94:1-a.

197 Department of Health and Human Services; Salaries; Reference to Associate Commissioner Added; Reference to Senior Division Director Removed. Amend RSA 126-A:10 to read as follows:

126-A:10 Salaries. The annual salaries of the commissioner of health and human services, deputy commissioner of health and human services, ~~[senior division director]~~ **associate commissioner**, division directors, and unclassified employees of the department shall be as prescribed by RSA 94:1-a.

198 Salary of Associate Commissioner. Amend RSA 94:1-a, I(b) to read as follows:

Delete:

JJ Department of health and human services senior division director

Insert:

JJ Department of health and human services associate commissioner

199 New Subparagraph; Department of Health and Human Services; Position Established. Amend RSA 126-A:9, I by inserting after subparagraph (b) the following new subparagraph:

(c) The commissioner shall appoint an unclassified mental health medical supervisor who shall perform such duties as may be assigned by the commissioner. These duties shall include, but not be limited to, collecting and reporting information regarding patients in need of high acuity mental health treatment and information regarding treatment options. The mental health medical supervisor shall be clinically qualified to assist in the triage for appropriate inpatient, partial hospitalization, and/or community based services. The mental health medical supervisor shall be a psychiatrist or psychiatric nurse practitioner licensed or qualified to practice in New Hampshire. The salary of the mental health medical supervisor shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

200 New Subdivision; Office of the Child Advocate. Amend RSA 170-G by inserting after section 16 the following new subdivision:

Office of the Child Advocate

170-G:17 Office of the Child Advocate.

I. The office of the child advocate shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

II. The office shall be under the supervision of an unclassified director of the office of the child advocate. The director shall serve a term of 4 years and until a successor is appointed and qualified. Any vacancy in the office shall be filled in the same manner as the original appointment for the remainder of the unexpired term. The director shall be appointed by the governor and council, upon the recommendation of the oversight commission established in RSA 170-G:18. The director shall possess a professional graduate degree in law, social work, public health, or a related field and be qualified by reason of education, experience, and expertise to perform the duties of the office.

III. The office of the child advocate shall:

(a) Provide independent oversight of the state's child protection system to assure that the best interests of children are being protected.

(b) Regularly consult with the department of health and human services and the oversight commission established in RSA 170-G:18.

(c) Maintain client confidentiality and the confidentiality of all case records as specified in law.

(d) Have access to records within the scope of its mission, except for those records maintained by the department of justice which are part of a pending legal proceeding.

(e) Have the ability to subpoena witnesses and/or records.

(f) Have the authority to review and investigate any aspect of the department's child protection policies or practices.

(g) Provide information and referral services to the public regarding the department's child protection services; provided that case specific complaints shall be handled by the department.

(h) Receive a copy of all critical incident reports from the department. The department shall provide the office with a copy of the report not later than 48 hours after the occurrence; provided that any child fatality shall be immediately communicated to the office by phone.

(i) Perform educational outreach and advocacy activities in furtherance of the mission and responsibilities of the office.

(j) Investigate and report on issues related to child protection upon the request of the governor, commissioner of health and human services, speaker of the house of representatives, senate president, or oversight commission.

IV. Beginning November 1, 2017, and each November 1 thereafter, the director of the office of the child advocate shall submit an annual report of its activity, findings, and recommendations to the commissioner of the department of health and human services, the governor, the speaker of the house of representatives, the senate president, and the state library.

170-G:18 Oversight Commission on Children's Services and Juvenile Justice Established.

I. There shall be an oversight commission on children's services and juvenile justice, which shall consist of the following members:

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

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(c) Four members representing the executive branch, appointed by the governor.

(d) Two members representing the judicial branch, appointed by the chief justice of the supreme court.

(e) Two representatives of the New Hampshire Association of Chiefs of Police, one of whom serves as chief of police for a city and one of whom serves as chief of police for a town.

(f) Four members of child advocacy organizations, appointed by the governor.

II. Legislative members of the commission shall serve a term coterminous with their term in office. Members appointed under subparagraphs (c)-(f) shall serve 3-year terms. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The oversight commission shall:

(a) Recommend at least 3 qualified candidates to the governor for appointment as director of the office of the child advocate; except that in the case of reappointment, a single recommendation shall be sufficient.

(b) Provide oversight to the department of health and human services and the office of the child advocate to support an effective, comprehensive, and coordinated system of services and programs for children, youth, and families.

(c) Analyze the efficacy of selected programs and services of the department, including the characteristics of target populations, trends affecting program costs and participation, and alternative approaches to programmatic and administrative concerns.

(d) Collaborate with the department of health and human services and the office of the child advocate to identify and implement best practices on behalf of children and families.

(e) Monitor and review implementation of the memorandum of understanding entered into by the department of health and human services and the department of justice regarding the collaboration between the 2 departments in the department of health and human services' investigation and prosecution of abuse and neglect cases.

IV. The oversight commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

V. Not later than November 1, 2017 and May 1, 2018, and not later than each November 1 thereafter, the commission shall submit a report of its activity, findings, and any recommendations for proposed legislation to the commissioner of the department of health and human services, the director of the office of the child advocate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

201 Department of Health and Human Services; Director of Legal Services; Memorandum of Understanding between the Department of Health and Human Services and the Department of Justice.

I. On the effective date of this section, the director of legal services, position number 9U468, shall be physically located in the department of justice. The director of legal services shall be under the supervision of the attorney general and shall be responsible for the supervision of all attorneys in the department of health and human services, division for children, youth and families. Funding for the position shall remain with the department of health and human services.

II.(a) On or before August 1, 2017, the commissioner of the department of health and human services and the attorney general of the department of justice shall enter into a memorandum of understanding that provides for the ongoing communication and collaboration by and between the 2 departments in connection with the department of health and human services' investigation and prosecution of abuse and neglect cases. The memorandum of understanding shall:

(1) Provide for joint case consultation, oversight, and review of the department of health and human services, division for children, youth and families cases in appropriate instances;

(2) Outline the roles and responsibilities of each agency in the prosecution of these cases; and

(3) Establish a process to address any identified training needs for the division for children, youth and families attorneys, including, but not limited to, monthly meetings with the department of justice and supervisory attorneys representing the division for children, youth and families and quarterly meetings with the department of justice and all attorneys representing the division for children, youth and families.

(b) The department of health and human services, in collaboration with the department of justice, shall provide an interim report on or before December 31, 2017 and an annual report beginning on or before June 30, 2018, to the oversight commission on children's services and juvenile justice established in RSA 170-G:18 regarding implementation and progress under the memorandum of understanding. The report shall address whether additional attorney positions in the division for children, youth and families should be transferred to the department of justice.

202 Child Protection Act; Purpose. Amend RSA 169-C:2 to read as follows:

169-C:2 Purpose.

I. It is the **primary** purpose of this chapter, through the mandatory reporting of suspected instances of child abuse or neglect, to provide protection to children whose life, health or welfare is endangered. ~~[and]~~

II. It is a further purpose of this chapter to establish a judicial framework to protect the rights of all parties involved in the adjudication of child abuse or neglect cases. Each child coming within the provisions of this chapter shall receive, preferably in ~~[his]~~ **the child's** own home, the care, emotional security, guidance, and control that will promote the child's best interest; and, if the child should be removed from the control of his **or her** parents, guardian, or custodian, adequate care shall be secured for the child. This chapter seeks to coordinate efforts by state and local authorities, in cooperation with private agencies and organizations, citizens' groups, and concerned individuals, to:

(a) Protect the safety of the child.

(b) ~~[Preserve the unity of the family whenever possible.]~~

~~(c) Provide assistance to parents to deal with and correct problems in order to avoid removal of children from the family.~~

~~(d) Take such action as may be necessary to prevent abuse or neglect of children.~~

~~(e) Provide protection, treatment, and rehabilitation, as needed, to children placed in alternative care.]~~

Take such action as may be necessary to prevent the abuse or neglect of children.

(c) Preserve the unity of the family.

(d) Provide protection, treatment, and rehabilitation, as needed, to children placed in alternative care.

(e) Provide assistance to parents to deal with and correct problems in order to avoid removal of children from the family.

[H:] **III.** This chapter shall be liberally construed to the end that its purpose may be carried out, to wit:

(a) To encourage the mental, emotional, and physical development of each child coming within the provisions of this chapter, by providing [him] ***the child*** with the protection, care, treatment, [counseling] ***counseling***, supervision, and rehabilitative resources which [he] ***the child*** needs and has a right to receive.

(b) To achieve the foregoing purposes and policies, whenever possible, by keeping a child in contact with his ***or her*** home community and in a family environment by preserving the unity of the family and separating the child from his ***or her*** parents only when the safety of the child is in danger or when it is clearly necessary for [his] ***the child's*** welfare or the interests of the public safety and when it can be clearly shown that a change in custody and control will plainly better the child; and

(c) To provide effective judicial procedures through which the provisions of this chapter are executed and enforced and which recognize and enforce the constitutional and other rights of the parties and assures them a fair hearing.

203 Child Protection Act; Definitions. Amend RSA 169-C:3, XIX(a)-(b) to read as follows:

(a) Who has been abandoned by his ***or her*** parents, guardian, or custodian; or

(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for [his] ***the child's*** physical, mental, or emotional health, when it is established that [his] ***the child's*** health has suffered or is [very] likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian, or custodian; or

204 Child Protection Act; Definitions. Amend RSA 169-C:3, XXVII-a and XXVIII to read as follows:

XXVII-a. ***"Serious impairment" means a substantial weakening or diminishment of a child's emotional, physical, or mental health or of a child's safety and general well-being. The following circumstances shall be considered in determining the likelihood that a child may suffer serious impairment:***

(a) The age and developmental level of the child.

(b) Any recognized mental, emotional, or physical disabilities.

(c) School attendance and performance.

(d) The child's illegal use of controlled substances, or the child's contact with other persons involved in the illegal use or sale of controlled substances or the abuse of alcohol.

(e) Exposure to incidents of domestic or sexual violence.

(f) Any documented failure to thrive.

(g) Any history of frequent illness or injury.

(h) Findings in other proceedings.

(i) The condition of the child's place of residence.

(j) Assessments or evaluations of the child conducted by qualified professionals.

(k) Such other factors that may be determined to be appropriate or relevant.

XXVII-b. “Sexual abuse” means the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children. With respect to the definition of sexual abuse, the term “child” or “children” means any individual who is under the age of 18 years.

XXVIII. “Unfounded report” means a report made pursuant to this chapter for which the department [finds] **determines** that there is ~~[no probable cause to believe]~~ **insufficient evidence to substantiate a finding** that the child is abused or neglected.

205 Determination of Parental Rights and Responsibilities. Amend RSA 461-A:6, IV(b) to read as follows:

(b) In this paragraph, “sexual abuse” shall mean sexual abuse as defined in RSA 169-C:3, ~~[XXVII-a]~~ **XXVII-b**, and “sexual assault” shall mean sexual assault as provided in RSA 632-A:2, RSA 632-A:3, and RSA 632-A:4.

206 Child Protection Act; Evidence. Amend RSA 169-C:12 to read as follows:

169-C:12 Evidence. In any hearing under this chapter, the court shall not be bound by the technical rules of evidence and may admit evidence which it considers relevant and material. **Evidence of prior founded or unfounded reports of abuse or neglect shall be admissible in proceedings under this chapter in order to establish a relevant pattern or course of conduct.**

207 New Section; Public Assistance; Home and Community Based Behavioral Health Services Program. Amend RSA 167 by inserting after section 3-j the following new section:

167:3-k Home and Community-Based Behavioral Health Services for Children. The department shall establish a Medicaid home and community-based behavioral health services program for children with severe emotional disturbances whose service needs cannot be met through traditional behavioral health services. The department may establish such services through a state plan amendment as provided in Section 1915(i) of the Social Security Act or a waiver under other provisions of the Act. If the department proceeds with a waiver, it shall not limit the geographic availability of services. Such services shall include the following services or their functional equivalent:

- (a) Wraparound care coordination.
- (b) Wraparound participation.
- (c) In home respite care.
- (d) Out of home respite care.
- (e) Customizable goods and services.
- (f) Family peer support.
- (g) Youth peer support.

208 Budget and Appropriations; Transfers. Amend RSA 9:16-a to read as follows:

9:16-a Transfers Authorized. Notwithstanding any other provision of law, every department as defined in RSA 9:1 is hereby authorized to transfer funds within and among all accounting units **and establish new accounting units and/or expenditure classes** within said department, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 9:17-b, or 9:17-c or in violation of any restrictions otherwise provided by law or to or from any account, except accounts in the department of health and human services, which is not composed of the same funding source mix. **The \$75,000 threshold shall be applied at the accounting unit level on a cumulative basis within the fiscal year. Once the threshold has been reached, the approval of the fiscal committee of the general court and the governor and council shall be required for subsequent transfers within the fiscal year.**

209 Budget and Appropriations; Limitations of Transfers. Amend RSA 9:17-a to read as follows:

9:17-a Limitations.

~~I. Notwithstanding the provisions of RSA 9:17, [no transfer shall be made:-~~

~~I. From appropriation items for equipment to any other use or purpose.-~~

~~H. To or from any out of state travel appropriation and the state treasurer and state commissioner of administrative services shall maintain separate appropriation accounts for all out of state travel appropriations.-~~

~~H-a. From any appropriation items for permanent personal services to any other use or purpose, provided however that this provision shall not supersede the provisions of RSA 99:4.-~~

~~HH. [Repealed.]~~

~~IV.] any department, as defined in RSA 9:1, which transfers appropriations for full-time salaries and benefits in accordance with RSA 9:16-a shall not be eligible for funds transferred from the salary adjustment fund pursuant to RSA 99:4 or the employee benefit adjustment account pursuant to RSA 9:17-c.~~

II. The provisions of this section shall apply to transfers in general appropriations, capital budget appropriations and in any other special appropriations.

210 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall transfer said amount quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, subject to the approval of governor and council, the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit. Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section. ***Departments which have transferred appropriations for benefits in accordance with RSA 9:16-a, and which therefore are subject to RSA 9:17-a, shall not be eligible for transfers from the employee benefit adjustment account.***

211 Reference Corrected. Amend RSA 9:17-d to read as follows:

9:17-d Transfer of Appropriations, Judicial Branch. The supreme court may transfer funds for any specific purposes to funds for other purposes in the general appropriations for any accounting unit within the judicial branch, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 491-A:2, or any other restriction provided by law. The judicial branch shall certify such transfers to the commissioner of administrative services. The certification shall state that the transfers are necessary to efficiently carry out the functions of the courts and that the legislative fiscal committee has approved the transfers. The provisions of this section shall not supersede the provisions of RSA 99:4, 9:17-a, ~~[I, H, and H-a and IV,]~~ and 491-A:2.

212 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:

99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall transfer said amount from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the director of personnel, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are deemed necessary to comply with ~~[RSA 98]~~ ***RSA 21-I. Departments that have transferred appropriations for full-time salaries in accordance with RSA 9:16-a, and which therefore are subject to RSA 9:17-a, shall not be eligible for transfers from the salary adjustment fund.***

213 Department of Health and Human Services; Contracts for Family Planning Services. Notwithstanding any law or administrative rule to the contrary, the commissioner of health and human services shall establish and utilize a competitive bidding process for family planning services.

214 Administrative Procedure Act; Filing of Proposed Rule Text; Newly Enacted Authority. Amend RSA 541-A:10, I to read as follows:

I. At the same time the notice required by RSA 541-A:6, I is filed, the agency shall file the text of the proposed rule with the director of legislative services. ~~[The first time a rule is proposed under RSA 541-A:3 to implement newly-enacted state authority, the agency shall send an electronic copy of the notice and proposed rule to the chair of each house and senate standing policy committee, as defined in RSA 541-A:1, XVI, for distribution to the members of such standing policy committees. "Newly enacted state authority" means a state statute or session law adopted or amended after July 30, 2011. If the newly-enacted state authority was not referred originally to a standing policy committee, the agency shall send an electronic copy of the notice and proposed rule to the speaker of the house and senate president for appropriate distribution. The members of the standing policy committees receiving proposed rules may review the proposed rules to determine whether the proposed rule is consistent with the intent of the authorizing legislation. If a standing policy committee concludes that the proposed rule is not consistent with the intent of the authorizing legislation, the standing policy committee shall send written notice to the agency, with a copy to the director of legislative services, identifying the provision or provisions the committee believes to be inconsistent with legislative intent. Such written notice may be sent to the agency via e-mail and shall be delivered so as to be received by the agency no later than the deadline for public comment specified in the rulemaking notice. If the agency does not receive notice from any standing policy committee by the end of the public comment period, the agency may proceed on the basis that the rule is consistent with the intent of the authorizing legislation.]~~ The text of the proposed rules as filed by the agency pursuant to RSA 541-A:3, III shall not be changed prior to the hearing held pursuant to RSA 541-A:11, I(a).

215 Implementation of Drinking Water and Groundwater Protection; New Hampshire Drinking Water and Groundwater Advisory Commission Established. Amend RSA 485-F:3 and 485-F:4 to read as follows:

485-F:3 Implementation of Drinking Water and Groundwater Protection.

I. The [department] *New Hampshire drinking water and groundwater advisory commission, established in RSA 485-F:4*, shall administer the drinking water and groundwater trust fund through the MTBE remediation bureau. Subject to the approval of the fiscal committee of the general court, trust fund proceeds sufficient to fund the department's MTBE remediation bureau and qualifying projects shall be transferred to the department and maintained in a separate, nonlapsing account, continually appropriated to the department for the purpose of paying all costs of this program. The department shall *provide administrative support to the drinking water and groundwater advisory commission by performing the following duties, including but not limited to:*

(a) [Investigate] *Investigating*, [manage] *managing*, and [remediate] *remediating* contaminated groundwater.

(b) ~~[Protect against future contamination or impacted drinking water sources through measures including, but not limited to, the expansion of drinking water infrastructure or drinking water source protection.]~~

(c) ~~[Assist]~~ *Assisting* local and regional entities in the development and administration of local wellhead protection programs, including delineation of wellhead protection areas and the inventory and management of activities which have a potential effect on groundwater quality.

~~[(d) Maintain]~~ (c) *Maintaining* a statewide map identifying the classes of groundwater.

~~[(e) Measure]~~ (d) *Measuring* levels of contamination statewide and ~~[generate]~~ *generating* maps to show the areas of greatest contamination.

~~[(f) Maintain]~~ (e) *Maintaining* an inventory of wells serving public water supply systems, and to the extent practicable other wells, and ~~[establish]~~ *establishing* a priority list for delineation of systems that are currently contaminated with MTBE.

~~[(g) Provide funding through cost-sharing grants to municipalities, municipally-owned water utilities, and water utilities regulated by the public utilities commission for the design, construction, and extension of public water systems, and the establishment and expansion of wellhead protection areas where they provide the most cost-effective method for providing safe and clean drinking water.]~~

II. The department shall adopt rules, under RSA 541-A, necessary to implement this chapter. Such rules may include ***a competitive grant application process, revolving loan funds, matching funds***, funding qualifications, funding application requirements, provisions for cost-sharing related to municipal projects, and other provisions consistent with the purposes and requirements of this chapter.

485-F:4 New Hampshire Drinking Water and Groundwater Advisory Commission Established.

I. There is hereby established the New Hampshire drinking water and groundwater advisory commission which shall consult with and advise the department relative to the proper administration and management of the drinking water and ground water trust fund, as established in RSA 6-D. The commission shall consist of the following members:

(a) The state treasurer, or designee.

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

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

(d) The governor, or designee.

(e) The director of the division of public health services, department of health and human services, or designee.

(f) The commissioner of the department of environmental services, or designee.

(g) The director of economic development, department of resources and economic development, or designee.

(h) The executive director of the fish and game department, or designee.

(i) One representative of the New Hampshire Water Pollution Control Association, appointed by the association.

(j) One representative of the New Hampshire business community, appointed by the president of the senate.

(k) One representative of a state or regional land trust, appointed by the governor.

(l) One representative of the New Hampshire Water Works Association, appointed by the association.

~~[(f)]~~***(m)*** One public member, who shall have business experience related to the creation and/or delivery of clean and safe drinking water, appointed by the speaker of the house of representatives.

~~[(g)]~~***(n)*** One public member, who shall represent the interests of citizens receiving their drinking water from private wells, appointed by the governor.

(o) Two members from a board of selectmen, a town or city council, or a board of alderman, one of whom shall be from a municipality without a public drinking water system, appointed by the governor.

~~[(h) One municipal official, who shall represent municipalities with public water systems, appointed by the governor.]~~

~~[(i)]~~***(p)*** One public member, appointed by the president of the senate.

II. The commission shall elect a chairperson from among the members. ***Ten members of the commission shall constitute a quorum.***

III. ***Members appointed under subparagraphs (a)–(e) shall serve terms that are coterminous with their term in office.***

IV. Except for the members appointed under subparagraphs (a)–(e), members shall be appointed for 2-year staggered terms.

~~[IV].~~ V. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

~~[V.]~~ VI. The department shall provide an annual report to the commission that includes information on expenditures for the fiscal year, projects begun or completed during the year, and projections on future program costs.

VII. The commission shall:

(a) Award grants, revolving loan funds, and matching funds to projects on a competitive basis from the drinking water and groundwater trust fund in a manner consistent with the purpose statement. All disbursements or grants shall require approval of the governor and council. Funds may be awarded if the project meets one of the following criteria:

(1) Emergency remediation is necessary, where contamination to drinking water or groundwater is prevalent.

(2) Planning, design, and building of aging water or sewer infrastructure is involved.

(3) The project protects against future contamination or impacted drinking water sources through measures including, but not limited to, the expansion of drinking water infrastructure or drinking water source protection.

(4) The project assists local and regional entities in the development and administration of local wellhead protection programs, including delineation of wellhead protection areas and the inventory and management of activities which have a potential effect on groundwater quality.

(5) The project provides funding through cost-sharing grants to municipalities, municipally-owned water utilities, and water utilities regulated by the public utilities commission for the design, construction, and extension of public water systems, and the establishment and expansion of wellhead protection areas where they provide the most cost effective method for providing safe and clean drinking water.

(b) Take land preservation into consideration.

(c) Encourage all applicants to provide matching funds beyond the minimum.

[VI-] **VIII.** The commission shall meet at least [annually] **quarterly**. The commission shall, at least annually, provide a report to the general court with information on the progress of the MTBE efforts, expenditures for the year, projects begun or completed during the previous year, the balance in the trust fund, and any other information the commission deems appropriate.

[VII-] **IX.** The commission shall, at least annually, review the work and projects funded by the trust fund during the previous year. The commission shall, at least annually, consult with the department regarding these activities, and provide advice and counsel relative to future work and project priorities, as outlined in RSA 485-F:3, I.

[VIII-] **X.** At least every 5 years, the commission shall prepare and file a report with the general court evaluating the progress made relative to MTBE contamination, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the trust fund could be used to improve access to safe and clean drinking water.

216 Department of Education; Chartered Public School Program Officer. There is established within the department of education the classified position of administrator II to serve as chartered public school program officer consistent with the duties and charges specified in RSA 21-N:4, XII. The commissioner may transfer available appropriations from within the department's budget to fund this position, with prior approval of the fiscal committee of the general court and governor and executive council.

217 Department of Transportation; Town of Ossipee. The department of transportation shall take all practical measures to alleviate safety issues at the intersection of Route 28 and Route 171 in the town of Ossipee. Such measures shall include, but shall not be limited to, speed reduction and the installation of a traffic light or rotary.

218 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium ending June 30, 2019, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.

219 Reproductive Health Care Facilities; Funding Restriction. No state funds awarded by the department of health and human services to a reproductive health care facility, as defined in RSA 132:37, I, shall be used to provide abortion services. This section shall not apply to funding available from the state pursuant to Title XIX of the Social Security Act to the minimum extent necessary to comply with federal conditions for the state's participation in the Medicaid program.

220 Division of Motor Vehicle; Milford Substation.

I. To ensure minimal disruption of existing services, the commissioner of safety is authorized to obtain a suitable temporary location to serve as the Milford division of motor vehicles substation until a permanent location is constructed and fully operational.

II. The sum of \$150,000 is hereby appropriated to the department of safety, division of motor vehicles, for biennium ending June 30, 2019, for the purposes of paragraph I of this section. This appropriation shall be treated as costs associated with the collection and administration of highway funds under RSA 9:9-a.

221 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to read as follows:

77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.7 percent upon the taxable business profits of every business organization.

222 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to read as follows:

77-E:2 Imposition of Tax. A tax is imposed at the rate of .60 percent upon the taxable enterprise value tax base of every business enterprise.

223 Business Profits Tax; Imposition of Tax; 2021. Amend RSA 77-A:2 to read as follows:

77-A:2 Imposition of Tax. A tax is imposed at the rate of ~~[7.7]~~ **7.5** percent upon the taxable business profits of every business organization.

224 Business Enterprise Tax; Imposition of Tax; 2021. Amend RSA 77-E:2 to read as follows:

77-E:2 Imposition of Tax. A tax is imposed at the rate of ~~[-60]~~ **.50** percent upon the taxable enterprise value tax base of every business enterprise.

225 Applicability.

I. Sections 221 and 222 of this act shall apply to taxable periods ending on or after December 31, 2019.

II. Sections 223 and 224 of this act shall apply to taxable periods ending on or after December 31, 2021.

226 Business Profits Tax; Expense Deduction; Amount. Amend RSA 77-A:3-a to read as follows:

77-A:3-a Expense Deductions. In determining gross business profits before net operating loss and special deductions, a business organization shall calculate expense deductions as permitted under Section 179 of the Internal Revenue Code as provided in RSA 77-A:1, XX, except that for property placed in service on or after ~~[January 1, 2017]~~ **January 1, 2018**, a business organization shall calculate expense deductions not to exceed ~~[\$100,000]~~ **\$500,000**.

227 Department of Health and Human Services; New Hampshire Health Protection Program; Medicaid Waiver; Work Requirements.

I. The commissioner of the department of health and human services shall seek any new waiver or state plan amendments required to implement the provisions of RSA 126-A:5, XXX. Specifically the commissioner shall require that:

(a) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:

(1) Unsubsidized employment.

(2) Subsidized private sector employment.

(3) Subsidized public sector employment.

(4) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.

(5) On-the-job training.

(6) Job search and job readiness assistance.

(7) Community service programs.

(8) Vocational educational training not to exceed 12 months with respect to any individual.

(9) Job skills training directly related to employment.

(10) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.

(11) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

(12) The provision of child care services to an individual who is participating in a community service program.

(b) The requirements under subparagraph (a) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).

(c) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).

(d) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.

(e) This subparagraph shall not apply to:

(1) A person who is temporarily unable to participate in the requirements under subparagraph (a) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.

(2) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.

(3) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.

II. Any such waivers or amendments shall be in place by November 1, 2017. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2017, notify all program participants that the program has not been reauthorized beyond December 31, 2018.

228 Incorporation by Reference. All appropriations and sections of amendments 2017-1179h to HB 1 of the 2017 regular legislative session, and 2017-1163h to HB 2 of the 2017 regular legislative session as proposed by the house finance committee shall be incorporated by reference into HB 144 and HB 517 of the 2017 regular legislative session for purposes of committees of conference.

229 Effective Date:

I. Sections 1, 134, 164, and 174 of this act shall take effect June 30, 2017.

II. Section 10 shall take effect October 1, 2017.

III. Section 165 of this act shall take effect May 1, 2018.

IV. Section 168 of this act shall take effect March 1, 2018.

V. Sections 169, 172, and 225 of this act shall take effect upon its passage.

VI. Sections 6, 7, 8, 9, 166, 167, 170, 171, 173, 176, 177, and 226 of this act shall take effect January 1, 2018.

VII. Sections 221 and 222 of this act shall take effect July 1, 2019.

VIII. Sections 223 and 224 of this act shall take effect July 1, 2021.

IX. The remainder of this act shall take effect July 1, 2017.

2017-2023s

AMENDED ANALYSIS

This bill:

1. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.
2. Clarifies that information in a state employee's health risk appraisal is protected health information.
3. Provides for application of the state employees health plan to unrepresented active state employees.
4. Authorizes the commissioner of administrative services to collect a premium contribution of at least 10 percent from the retirement allowance of a retired state employee or spouse, or a retired judge or spouse in the judicial retirement plan, who is eligible for Medicare and who was born on or after January 1, 1949.
5. Increases the minimum premium contribution percentage for retired state employees or spouses receiving medical benefits who are not Medicare eligible.
6. Excludes medications available without a prescription from the New Hampshire retiree health care program.
7. Requires the liquor commission to reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.
8. Limits the number of judges on the superior court and the number of full time judges on the circuit court and suspends the authorization to convert marital master positions to full time judicial positions for the biennium ending June 30, 2019.
9. Permits the supreme court to transfer funds among judicial branch accounts.
10. Changes the name of the department of resources and economic development to the department of natural and cultural resources.
11. Eliminates the department of cultural resources, and transfers that department's operations to the department of natural and cultural resources.
12. Creates the department of business and economic affairs.
13. Transfers the functions of the division of economic development and the division of travel and tourism development in the former department of resources and economic development to the department of business and economic affairs.
14. Adjusts the salaries for the division directors within the departments of natural and cultural resources and business and economic affairs and requires a salary review for the positions of commissioner of the 2 departments.
15. Changes the name of the office of energy and planning to the office of strategic initiatives.
16. Repeals the authorization for the department of health and human services to pay funeral expenses of a recipient of public assistance.
17. Provides that federal emergency assistance grants shall be collected by the appropriate agency and appropriated to the department of transportation.
18. Establishes a public school infrastructure revitalization trust fund and commission, and suspends school building aid from the department of education for the biennium.
19. Permits all agencies to provide documents by electronic mail in lieu of mail.
20. Increases annual funding for the alcohol abuse prevention and treatment fund to 3.4 percent of the previous fiscal year gross profits derived from liquor sales.
21. Maintains distribution of meals and rooms tax revenue to cities and towns at no more than the amount of the fiscal year 2017 distribution.

22. Provides that the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds.

23. Suspends home health services rate setting for the biennium ending June 30, 2019.

24. Suspends provisions of congregate housing and congregate services for the biennium ending June 30, 2019.

25. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to suspend direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2019.

26. Requires the commissioner of the department of health and human services to make quarterly reports to the governor, speaker of the house of representatives, and senate president on the status of estimated Medicaid payments and their relation to actual costs.

27. Permits the governor to transfer funds among office accounts.

28. Caps the maximum monthly temporary assistance for needy families cash benefit at 60 percent of federal poverty guidelines.

29. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2019.

30. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2019.

31. Establishes an Internet crimes against children fund and makes an appropriation for each year of the biennium ending June 30, 2019.

32. Establishes the position of financial research analyst I within the department of justice.

33. Redesignates the banking department's general counsel as an unclassified position.

34. Permits departments and agencies, with permission of the department of administrative services, to rent, lease, or lease-purchase vehicles from outside vendors.

35. Amends definitions for chartered public schools and revises funding levels for chartered public schools.

36. Amends the additional grant amount for chartered public schools and establishes a funding formula for the Virtual Learning Academy Charter School.

37. Removes references to "catastrophic aid" in the special education statutes.

38. Consolidates information technology functions between the department of health and human services and the department of information technology.

39. For the biennium ending June 30, 2019, authorizes the liquor commission to implement business strategies, enter into contracts, and hire support personnel to support merchant card activity.

40. Prohibits the public utilities commission from expending funds on the implementation of the energy efficiency resource standard or changing the system benefits charge without prior approval of the fiscal committee of the general court, except as authorized by a certain public utilities order.

41. Removes a reference to a 2016 disaster response appropriation from the renewable energy fund.

42. Permits the department of education to accept gifts to fund the New Hampshire scholars program.

43. Establishes the governor's scholarship program.

44. Repeals a statutory provision governing revenue shortfalls within the liquor commission.

45. Creates a division of taxpayer services within the department of revenue administration.

46. Eliminates the document processing division within the department of revenue administration.

47. Transfers jurisdiction over licensing of assemblies on state waters or ice from the commissioner of the department of safety to local fire department chiefs.

48. Revises certain provisions relating to the layout of state highways.

49. Amends provisions relating to the acquisition and relocation of certain highways acquired in 1945 or earlier.
50. Suspends the crediting of a portion of meals and rooms tax revenue to the department of business and economic affairs for the biennium ending June 30, 2019.
51. Allows the joint committee on legislative facilities to meet as needed, removes the cap on the house and senate subaccount balances in the legislative account, and modifies requirements for prior approval by the respective committees for funds to be transferred from subaccounts.
52. Increases the appropriation to the governor's commission on disability for funding the "Newslines for the Blind."
53. Provides that settlement funds received by the state and deposited in the revenue stabilization reserve account shall not be included in any amount subsequently transferred to the general fund.
54. Establishes dedicated accounts for the purpose of paying for costs of the capital budget projects related to a revenue information management system in the department of revenue administration and state heating system savings in the department of administrative services.
55. Makes an appropriation to the office of professional licensure and certification for the purposes of the controlled drug prescription health and safety program, and makes an additional appropriation to the office of professional licensure and certification for the purposes of the controlled drug prescription health and safety program contingent upon approval of the fiscal committee of the general court.
56. Requires an annual appropriation from the general court to the national guard scholarship fund.
57. Repeals the milk producers emergency relief fund.
58. Allows the commissioner of the department of agriculture to set milk prices in consultation with the agricultural advisory board.
59. Makes an appropriation to the department of corrections to purchase body scanners for use in state correctional facilities and to fund 2 canine teams at the department of corrections.
60. Allows the department of corrections to fill certain unfunded positions.
61. Clarifies funding responsibility for custody and control of prisoners for purposes of video arraignments.
62. Requires the department of justice to undertake every reasonable legal effort to collect all amounts due to the state of New Hampshire as a result of the Merrimack River flood control compact.
63. Clarifies the terms "usual and customary price" and "contracted copayment" for the purposes of filling prescriptions.
64. Suspends RSA 489, relative to integrated land development permits, for the biennium ending June 30, 2019.
65. Places a moratorium on new infrastructure projects that would have been eligible for state aid grants under RSA 486, RSA 486-A, and RSA 149-M.
66. Provides workers' compensation coverage to certain volunteers for the fish and game department.
67. Makes an appropriation to the fire standards and training and emergency medical services fund.
68. Authorizes the commissioner of the department of transportation to acquire land to build a turnpike service plaza in the town of Hampton on Interstate 95.
69. Authorizes the commissioner of the department of transportation to lease, develop, and/or reconstruct state liquor and wine outlets along the turnpikes and highways of the state.
70. Directs the treasurer to credit revenue collected from the airways toll to the department of transportation.
71. Grants the lottery commission the authority to purchase real property for use as the lottery commission's headquarters.
72. Requires the commissioner of the department of education to issue a request for proposals to secure a reading specialist to provide technical assistance for dyslexia and related disorders to school districts and to submit a report assessing the effectiveness of the reading specialist.
73. Authorizes the comptroller to transfer sufficient funds from the general fund to eliminate a deficit in the education trust fund.

74. Amends the chartered public school funding statute to add provisions for payments to chartered public schools.

75. Establishes a robotics education development program to encourage students to pursue education in science, technology, engineering, and mathematics.

76. Removes the interim rulemaking provision relating to methadone detoxification or methadone maintenance programs.

77. Makes an appropriation to the department of administrative services to mitigate the impact to the Concord school district due to the closure of Concord Steam Corporation.

78. Revises the procedures for placement and detention of minors at the Sununu youth services center and other appropriate placements and makes an appropriation therefor.

79. Provides that expenditures for operational costs of the Sununu youth services center and the alcohol and drug abuse treatment facility at the center which the commissioner of the department of health and human services determines to be necessary may be funded from governor's commission funds without the prior approval of the fiscal committee.

80. Makes an appropriation for development of a New Hampshire partnership for long-term care plan.

81. Requires the commissioner of the department of health and human services to develop a universal on-line prior authorization form for drugs used to treat mental illness by July 15, 2017 and require community mental health centers and managed care organizations to begin using it by September 1, 2017.

82. Increases the rates for certain services, placements, and programs that are payable by the department of health and human services.

83. Provides that legislative members of the advisory board on services for children, youth and families shall serve a term coterminous with their term in office.

84. Authorizes the commissioner of the department of health and human services to fill unfunded positions for the biennium ending June 30, 2019 under certain circumstances.

85. Requires the department of health and human services to develop a plan to relocate the individuals with developmental disabilities currently placed at the designated receiving facility on the Laconia state school property.

86. Permits the transfer of the appropriation for the administration of the client assistance program that is received by the governor's commission on disability for fiscal years 2018 and 2019 to another qualified agency.

87. Requires the commissioner of the department of health and human services to issue certain requests for applications and requests for proposals.

88. Replaces the position of senior division director with the position of associate commissioner, whose responsibilities shall include oversight of the division for children, youth, and families.

89. Establishes the position of mental health medical supervisor in the department of health and human services, requires the position of director of legal services to be physically located in the department of justice, and requires the 2 departments to enter into a memorandum of understanding regarding abuse and neglect cases.

90. Establishes an independent office of the child advocate and an oversight commission on children's services and juvenile justice.

91. Amends the purpose of the child protection act.

92. Amends the definition of an unfounded report by replacing "no probable cause to believe" with "insufficient evidence to substantiate a finding."

93. Inserts a definition of "serious impairment."

94. Amends the evidentiary standards for abuse and neglect cases by allowing into evidence prior founded or unfounded reports of abuse or neglect in order to establish pattern or course of conduct.

95. Directs the department of health and human services to establish a Medicaid home and community-based behavioral health services program for children with severe emotional disturbances.

96. Establishes requirements for budget transfers by agencies for salaries and benefits.

97. Requires the commissioner of the department of health and human services to establish and utilize a competitive bidding process for family planning services.

98. Removes the requirement in the administrative procedure act for agencies to give notice to legislative committees for proposed rules on newly enacted authority.

99. Requires the New Hampshire drinking water and groundwater advisory commission to administer the drinking water and groundwater trust fund and makes changes to the membership and duties of the New Hampshire drinking water and groundwater advisory commission.

100. Establishes a chartered public school program officer position in the department of education.

101. Requires the department of transportation to address safety concerns at a certain intersection in Ossipee.

102. Requires the state to reimburse the sheriff's office for court security at rates provided in the collective bargaining agreement.

103. Prohibits reproductive health care facilities from using state funds to provide abortion services.

104. Authorizes a temporary Milford substation for the division of motor vehicles.

105. Reduces the rates of the business profits tax and the business enterprise tax in 2019 and in 2021.

106. Increases the amount of the expense deduction under the business profits tax.

107. Directs the department of health and human services to seek a waiver from CMS in order to establish certain work requirements for participation in the New Hampshire health protection program.

108. Incorporates by reference all appropriations and sections of the house finance committee amendments to HB 1-A and HB 2-FN-A of the 2017 regular legislative session.

The question is on the adoption of the Committee Amendment.

A roll call was requested by Senator French, seconded by Senator Giuda.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

Senator Woodburn offered a floor amendment.

Sen. Woodburn, Dist 1

May 26, 2017

2017-2036s

04/10

Floor Amendment to HB 517

Amend the bill by deleting sections 221-225.

Amend the bill by replacing section 229 with the following:

229 Effective Date.

I. Sections 1, 134, 164, and 174 of this act shall take effect June 30, 2017.

II. Section 10 shall take effect October 1, 2017.

III. Section 165 of this act shall take effect May 1, 2018.

IV. Section 168 of this act shall take effect March 1, 2018.

V. Sections 169 and 172 of this act shall take effect upon its passage.

VI. Sections 6, 7, 8, 9, 166, 167, 170, 171, 173, 176, 177, and 226 of this act shall take effect January 1, 2018.

VII. The remainder of this act shall take effect July 1, 2017.

2017-2036s

AMENDED ANALYSIS

Delete:

105. Reduces the rates of the business profits tax and the business enterprise tax in 2019 and in 2021.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

May 30, 2017

2017-2098s

05/10

Floor Amendment to HB 517

Amend the bill by deleting section 226.

Amend the bill by replacing paragraph VI of section 229 to read as follows:

VI. Sections 6, 7, 8, 9, 166, 167, 170, 171, 173, 176, and 177 of this act shall take effect January 1, 2018.

2017-2098s

AMENDED ANALYSIS

Delete:

106. Increases the amount of the expense deduction under the business profits tax.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

May 31, 2017

2017-2137s

08/04

Floor Amendment to HB 517

Amend the bill by inserting the following new sections:

229 Unemployment Fund; Employer Rates. Amend RSA 282-A:87, IV to read as follows:

IV.(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by ~~[2/10]~~ **3/10** of one percent beginning in the ~~[second]~~ **third** quarter of ~~[2007]~~ **2017**. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.

(2) Commencing ~~[July 1, 2007]~~ **September 1, 2017**, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed ~~[\$2,000,000]~~ **\$4,000,000** annually, shall be deposited each quarter in the fund established by RSA

282-A:138-a and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall *then* be ***divided so that the proportional share of the quarterly administrative contribution resulting from the increase over 2/10 of one percent shall then be deposited in the unemployment compensation fund established under RSA 282-A:103 and the remaining amount*** deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.

230 Training Fund. Amend RSA 282-A:138-a, I to read as follows:

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of resources and economic development in accordance with rules and guidelines adopted by the commissioner of resources and economic development, ***after consultation with the governor's state workforce innovation board***, for funding training under the job training program for economic growth, established under RSA 12-A:51-58. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of resources and economic development pursuant to RSA 12-A:54, II(a).

231 Job Training Program Expanded. Amend RSA 12-A:51 to read as follows:

12-A:51 Program Established. There is hereby established a program to provide job training which is designed to attract new business, assist in the expansion of business, and retain existing business in the state of New Hampshire. ***Pursuant to rules adopted by the commissioner of resources and economic development under RSA 541-A, no more than \$250,000 annually may be provided to further support programs offered as of January 1, 2017, and in addition to programs offered as of January 1, 2017, funding shall be provided for:***

I. Training individuals not otherwise eligible for state or federal training funds available as of January 1, 2017, including the cost of certificate programs and occupational skills training in order to fill current in-demand employment in New Hampshire with employers having immediate employment needs, with a priority for jobs identified through the state's sector partnership initiative;

II. Enhanced support services, including child care and transportation assistance, which would not otherwise be available through any other state, federal, or other programs, with such assistance limited to income eligible individuals with an identified career path and who are determined to be in need of such support services to successfully compete for employment opportunities;

III. The WorkReadyNH program established by the community college system of New Hampshire in an amount no more than \$250,000 annually, including expanding the WorkReadyNH program to current high school students in grades 10 through 12 on a pilot basis;

IV. Marketing for and program availability of certificate programs and occupational skills training opportunities for New Hampshire high school students upon graduation in order to fill current in-demand employment in New Hampshire;

V. Marketing of New Hampshire's workforce development initiatives to employers and business community representatives in New Hampshire; and

VI. Outreach and coordination of services provided in this section to populations with higher than average unemployment in New Hampshire, including persons in need of training to change careers, persons with substance use disorders who are in recovery programs, legal immigrants, and speakers of languages other than English.

232 Eligible Costs; Job Training Program. Amend RSA 12-A:56, IV to read as follows:

IV. The department may use no more than 10 percent, or [~~\$200,000~~] ***\$400,000***, of any moneys received from the training fund established [at] ***in*** RSA 282-A:138-a, whichever is less, to administer this program.

233 New Paragraph; Report; Job Training Program. Amend RSA 12-A:58 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall annually provide a report to the governor's state workforce innovation board, the speaker of the house of representatives, the president of senate, the chairperson of the senate committee with jurisdiction over commerce issues and the chairperson of the house committee with jurisdiction over labor issues concerning the effectiveness of all job training programs and services.

234 Effective 2019; Unemployment Fund; Employer Rates. Amend RSA 282-A:87, IV to read as follows:

IV.(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by ~~[3/10]~~ **2/10** of one percent beginning in the ~~[third]~~ **second** quarter of ~~[2017]~~ **2007**. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.

(2) Commencing ~~[September 1, 2017]~~ **July 1, 2007**, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed ~~[\$4,000,000]~~ **\$2,000,000** annually, shall be deposited each quarter in the fund established by RSA 282-A:138-a and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall ~~be [then be divided so that the proportional share of the quarterly administrative contribution resulting from the increase over 2/10 of one percent shall then be deposited in the unemployment compensation fund established under RSA 282-A:103 and the remaining amount]~~ deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.

235 Effective 2019; Training Fund. Amend RSA 282-A:138-a, I to read as follows:

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of resources and economic development in accordance with rules and guidelines adopted by the commissioner of resources and economic development, ~~[after consultation with the governor's state workforce innovation board,]~~ for funding training under the job training program for economic growth, established under RSA 12-A:51-58. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of resources and economic development pursuant to RSA 12-A:54, II(a).

236 Effective 2019; Job Training Program Expanded. Amend RSA 12-A:51 to read as follows:

12-A:51 Program Established. There is hereby established a program to provide job training which is designed to attract new business, assist in the expansion of business, and retain existing business in the state of New Hampshire. ~~[Pursuant to rules adopted by the commissioner of resources and economic development under RSA 541-A, no more than \$250,000 annually may be provided to further support programs offered as of January 1, 2017, and in addition to programs offered as of January 1, 2017, funding shall be provided for:~~

I. Training individuals not otherwise eligible for state or federal training funds available as of January 1, 2017, including the cost of certificate programs and occupational skills training in order to fill current in-demand employment in New Hampshire with employers having immediate employment needs, with a priority for jobs identified through the state's sector partnership initiative;

II. Enhanced support services, including child care and transportation assistance, which would not otherwise be available through any other state, federal, or other programs, with such assistance limited to income eligible individuals with an identified career path and who are determined to be in need of such support services to successfully compete for employment opportunities;

III. The WorkReadyNH program established by the community college system of New Hampshire in an amount no more than \$250,000 annually, including expanding the WorkReadyNH program to current high school students in grades 10 through 12 on a pilot basis;

IV. Marketing for and program availability of certificate programs and occupational skills training opportunities for New Hampshire high school students upon graduation in order to fill current in-demand employment in New Hampshire;

V. Marketing of New Hampshire's workforce development initiatives to employers and business community representatives in New Hampshire; and

VI. Outreach and coordination of services provided in this section to populations with higher than average unemployment in New Hampshire, including persons in need of training to change careers, persons with substance use disorders who are in recovery programs, legal immigrants, and speakers of languages other than English;

237 Effective 2019; Eligible Costs; Job Training Program. Amend RSA 12-A:56, IV to read as follows:

IV. The department may use no more than 10 percent, or ~~[\$400,000]~~ **\$200,000**, of any moneys received from the training fund established in RSA 282-A:138-a, whichever is less, to administer this program.

238 Repeal. RSA 12-A:58, IV, relative to the annual report of the commissioner regarding the effectiveness of job training programs and services, is repealed.

239 Effective Date.

I. Sections 229 through 233 of this act shall take effect 60 days after its passage.

II. Sections 234 through 238 of this act shall take effect June 30, 2019.

2017-2137s

AMENDED ANALYSIS

Insert:

109. Expands job training programs offered by the department of resources and economic development and repeals such programs in 2019.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Kahn offered a floor amendment.

Sen. Kahn, Dist 10

May 30, 2017

2017-2097s

06/10

Floor Amendment to HB 517

Amend the bill by deleting section 175.

President Pro Tempore Carson presiding.

INTRODUCTION OF GUESTS

Senator Sanborn introduced Shannon Reid and her son Peter visiting in the gallery.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Watters, seconded by Senator Avard.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Reagan, Birdsell, Morse, Gannon, Innis, Carson.

Roll Call, Yeas: 9 - Nays: 14. Failed.

President Morse presiding.

Senator Fuller Clark offered a floor amendment.

Sen. Fuller Clark, Dist 21

May 30, 2017

2017-2100s

06/10

Floor Amendment to HB 517

Amend the bill by inserting the following new sections:

229 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:

(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, [2018] **2020** and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

230 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, [2018] **2020**. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from non-general fund sources, including federal funds as provided under 42 U.S.C. section 1396d(y).

231 Funding the State Share of the New Hampshire Health Protection Program. Amend RSA 126-A:5-c, I(b) to read as follows:

(b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for the related administrative costs; and the cost of the program for coverage effective between July 1, 2017 and December 31, [2018] **2020**, plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for administrative costs attributable to the program, and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

232 Funding the State Share of the New Hampshire Health Protection Program. Amend the introductory paragraph of RSA 126-A:5-c, II to read as follows:

II. Funding for the program from January 1, 2017 until December 31, [2018] **2020** shall not be funded from general funds. The program shall be funded as follows:

233 Voluntary Provider Contributions. Amend RSA 126-A:5-d to read as follows:

126-A:5-d Voluntary Provider Contributions. For the period of January 1, 2017 through December 31, [2018] **2020**, voluntary provider donations received from the Foundation for Healthy Communities or any other charitable foundation may be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.

234 Individual Health Insurance Market; Definitions. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) For the period of January 1, 2017 through December 31, [2018] **2020**, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 404-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 404-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.

235 New Hampshire Health Protection Program. Amend RSA 2014, 3:10, I, as amended by 2016, 13:13, to read as follows:

I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, XXIV-XXV between July 1, 2014–December 31, 2016 is less than 100 percent, less than 95 percent in 2017 [and], less than 94 percent in 2018, **less than 93 percent in 2019, and less than 90 percent in**

2020, of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5, XXIV and XXV shall be repealed 180 days after the event under this subparagraph occurs upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services. The commissioner shall immediately issue notice to program participants of the program's pending repeal.

236 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a as amended by 2015, 276:260 and 2016, 13:14 to read as follows:

I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, [2018] **2020**.

237 Effective Date. Sections 229 through 236 of this act shall take effect upon its passage.

2017-2100s

AMENDED ANALYSIS

Insert:

109. Extends the New Hampshire health protection act for 2 years.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Watters offered a floor amendment.

Sen. Watters, Dist 4

May 30, 2017

2017-2103s

06/10

Floor Amendment to HB 517

Amend the bill by inserting the following new section:

229 Adequate Education; Definitions. Amend RSA 198:38, I(a) to read as follows:

(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that ~~[no kindergarten pupil shall count as more than 1/2 day attendance per school year]~~ **a kindergarten pupil shall count as 1/2 day attendance in a school district operating a half-day kindergarten program, and in a school district operating a full-day kindergarten program, each full-day kindergarten pupil shall count as 7/10 day attendance effective July 1, 2017, 8/10 day attendance effective July 1, 2018, and full day attendance effective July 1, 2019.** ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

2017-2103s

AMENDED ANALYSIS

Insert:

109. Specifies the manner in which kindergarten pupils are counted in a school district's average daily membership in attendance.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Kahn offered a floor amendment.

Sen. Kahn, Dist 10

May 30, 2017

2017-2092s

05/10

Floor Amendment to HB 517

Amend the bill by inserting after section 228 the following new sections:

229 New Subdivision; New Hampshire College Graduate Retention Incentive Partnership (NH GRIP). Amend RSA 12-A by inserting after section 67 the following new subdivision:

New Hampshire College Graduate Retention Incentive Partnership (NH GRIP)

12-A:68 Definitions. In this subdivision:

- I. "Commissioner" means the commissioner of the department of resources and economic development.
- II. "Department" means the department of resources and economic development.
- III. "Eligible institution of higher education" means any public or private institution of higher education authorized to grant degrees in this state by the higher education commission pursuant to RSA 21-N:8-a.
- IV. "Graduate" means a student who graduates from an eligible institution of higher education in May 2017 or thereafter.
- V. "Incentive" means a monetary award given each year for 4 years by a participating employer to a graduate which the graduate may elect to be paid to the graduate or to an entity servicing the graduate's student loans.
- VI. "Participating employer" means any person, firm, corporation, partnership, or association, the state, any political subdivision of the state, or any other entity which is engaged in a business or in providing services and which employs employees in connection with such business or services who enters into a participating employer agreement to provide an incentive to a graduate.
- VII. "Participating employer agreement" or "agreement" means an agreement prepared jointly by the department of resources and economic development in consultation with the New Hampshire College and University Council and the Business and Industry Association of New Hampshire.

12-A:69 New Hampshire College Graduate Retention Incentive Partnership Established. There is established the New Hampshire college graduate retention incentive partnership (NH GRIP) which shall be administered by the department. The purpose of NH GRIP is to recruit and retain graduates from eligible institutions of higher education and provide incentives to those graduates to work in New Hampshire.

12-A:70 Requirements and Procedure. A graduate, who obtains employment with a participating employer who executes an agreement, shall receive an incentive of \$1,000 each year for the first 4 years of the graduate's employment with the participating employer. The agreement shall be signed by an authorized agent of the participating employer. The participating employer shall retain a copy of each signed agreement in its files.

12-A:71 Advertising. The department shall, in cooperation with the Business and Industry Association of New Hampshire, the New Hampshire College and University Council, the New Hampshire Higher Education Assistance Fund, and the New Hampshire Coalition for Business and Education, advertise to New Hampshire employers and New Hampshire college students the details of NH GRIP, through print and electronic media. The department shall maintain a list of employers who have a valid participating employer agreement and shall make the list available on the department's public Internet site as well as in writing.

12-A:72 Funding. For the biennium beginning July 1, 2019, and each biennium thereafter, the commissioner shall include any requests for appropriations related to NH GRIP in the biennial agency budget requests pursuant to RSA 9:4.

230 Appropriation. The sum of \$30,000 for the fiscal year ending June 30, 2018 and the sum of \$15,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the department of resources and economic development for the purpose of advertising and disseminating information to New Hampshire college

students and graduates regarding the New Hampshire college graduate retention and incentive partnership (NH GRIP) established in RSA 12-A:68 through RSA 12-A:72. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2017-2092s

AMENDED ANALYSIS

Insert:

109. Establishes the New Hampshire college graduate retention incentive partnership (NH GRIP) which provides financial incentives to college graduates who are hired by participating employers and makes an appropriation to the department of resources and economic development for that purpose.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Lasky, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Fuller Clark offered a floor amendment.

Sen. Fuller Clark, Dist 21

May 30, 2017

2017-2096s

05/10

Floor Amendment to HB 517

Amend the bill by deleting section 219.

2017-2096s

AMENDED ANALYSIS

Delete:

103. Prohibits reproductive health care facilities from using state funds to provide abortion services.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Birdsell, seconded by Senator Soucy.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

May 31, 2017

2017-2111s

08/01

Floor Amendment to HB 517

Amend the bill by inserting the following new section:

229 Providing Continuity of Care for Family Planning Services, Contingent on Federal Actions.

I. If a family planning health clinic is no longer eligible to receive federal matching funds or if federal law restricts the rights of a Medicaid recipient to obtain services from a family planning health clinic, services that are otherwise covered by the Medicaid program shall be funded solely with general funds. In order to receive this state funding, a family planning health clinic shall otherwise meet the requirements of the department of health and human services for participation and enrollment as a Medicaid provider.

II. In order to ensure continuity of services and care, the commissioner of the department of health and human services shall implement any program changes necessary to ensure such family planning health clinics shall continue to be reimbursed by the department in accordance with the department's most recent fee schedule or by Medicaid managed care organizations in accordance with negotiated provider contracts.

2017-2111s

AMENDED ANALYSIS

Insert:

109. Directs the department of health and human services to use state funds for family planning health clinic services if federal funds are no longer available or if changes to federal law otherwise prevent a Medicaid recipient from obtaining services from a family planning health clinic.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Avar.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Lasky offered a floor amendment.

Sen. Lasky, Dist 13

May 30, 2017

2017-2105s

10/06

Floor Amendment to HB 517

Amend the bill by inserting after section 228 the following new section:

229 Transportation; Toll Credits. Amend RSA 228:12-a to read as follows:

228:12-a Use of Toll Credits. The department may use toll credits as a match for federal highway funds[~~solely~~] for the funding of highway and road projects or projects concerning the travel of motor vehicles on such highways and roads, ***and as a match for federal funds for the purpose of continuing the project development phase of the New Hampshire capital rail corridor project.*** Any other use of toll credits shall require approval of the joint legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation improvement program.

2017-2105s

AMENDED ANALYSIS

Insert:

109. Allows the department of transportation to use toll credits as a match for federal funds for continuation of the project development phase of the capital rail corridor project.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avar, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Avar, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark, Innis.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Carson, Reagan, Birdsell, Gannon, Morse.

Roll Call, Yeas: 11 - Nays: 12. Failed.

President Pro Tempore Carson presiding.

Senator Woodburn offered a floor amendment.

Sen. Woodburn, Dist 1
May 30, 2017
2017-2104s
05/10

Floor Amendment to HB 517

Amend the bill by inserting after section 228 the following new section:

229 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal [year] **year 2017, 93 percent for fiscal years 2018 and 2019**, and shall be reduced by 4 percent of the amount of the 2012 [education] **stabilization** grant for each fiscal year thereafter. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

2017-2104s

AMENDED ANALYSIS

Insert:

109. Revises the stabilization grant payment for fiscal years 2018 and 2019.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avard, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, French, Kahn, Lasky, Feltes, Soucy, Birdsell, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, Ward, Sanborn, Daniels, Avard, Reagan, Morse, Gannon, Innis, Carson.

Roll Call, Yeas: 11 - Nays: 12. Failed.

President Morse presiding.

Senator Fuller Clark offered a floor amendment.

Sen. Fuller Clark, Dist 21

May 30, 2017
2017-2091s
10/05

Floor Amendment to HB 517

Amend the bill by inserting the following new section:

229 Human Rights Commission; Investigator; Appropriations. The sums of \$67,286 for the fiscal year ending June 30, 2018 and \$70,411 for the fiscal year ending June 30, 2019 are hereby appropriated to the human rights commission to fund one anti-discrimination investigator. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2017-2091s

AMENDED ANALYSIS

Insert:

109. Makes appropriations to the human rights commission to fund one anti-discrimination investigator.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Feltes, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Reagan, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 10 - Nays: 13. Failed.

Senator D'Allesandro offered a floor amendment.

Sen. D'Allesandro, Dist 20
May 30, 2017
2017-2101s
10/05

Floor Amendment to HB 517

Amend the bill by inserting after section 228 the following new section:

229 Department of Corrections; Positions; Appropriation. The sums of \$946,970 for the fiscal year ending June 30, 2018 and \$1,154,040 for the fiscal year ending June 30, 2019 are hereby appropriated to the department of corrections for the purposes of funding positions: NEW0071, NEW0072, and NEW0073 for the fiscal year ending June 30, 2018, NEW0054, NEW0055, NEW0056, NEW0057, NEW0058, NEW0059, and NEW0060, for the fiscal year ending June 30, 2019, and NEW0016, NEW0017, NEW0018, NEW0019, NEW0020, NEW0021, NEW0022, NEW0023, and NEW0063 for the biennium ending June 30, 2019. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2017-2101s

AMENDED ANALYSIS

Insert:

109 Authorizes funding of positions and makes appropriations to the department of corrections.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Lasky, seconded by Senator Sanborn.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist 11
May 31, 2017
2017-2120s
06/10

Floor Amendment to HB 517

Amend RSA 485-F:4, VII(a)(2) as inserted by section 215 of the bill by replacing it with the following:

(2) Planning, design, and building of aging water infrastructure is involved.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment. Adopted.

Senator Giuda offered a floor amendment.

Sen. Giuda, Dist 2
May 31, 2017
2017-2118s
01/04

Floor Amendment to HB 517

Amend the bill by inserting the following new section:

229 Appropriation; Damages to Foundation. The sum of \$20,000 is hereby appropriated to Stephanie and Scott Staples, 3 Main Street, New Hampton, New Hampshire for the purposes of repairing damages to their foundation and structure caused by 8 years of water runoff from state Route 104 for which the board of claims paid \$16,000 but the estimated repairs were \$36,000. The governor is authorized to draw a warrant for said sum out of any moneys in the treasury not otherwise appropriated.

2017-2118s

AMENDED ANALYSIS

Makes an appropriation to a private party for repairs to foundation and structure caused by water runoff from state Route 104.

The question is on the adoption of the Floor Amendment.

A division was requested.

Division, Yeas: 7 - Nays: 16. Failed.

Senator Giuda offered a floor amendment.

Sen. Giuda, Dist 2

May 31, 2017

2017-2122s

05/04

Floor Amendment to HB 517

Amend the bill by replacing section 219 with the following:

219 Reproductive Health Care Facilities; Funding Restriction. The department of health and human services shall not make any award of state or federal funds, including but not limited to federal Title X funds, to a reproductive health care facility that offers abortion services, as defined in RSA 132:37, I. This section shall not apply to funding available from the state pursuant to Title XIX of the Social Security Act to the minimum extent necessary to comply with federal conditions for the state's participation in the Medicaid program.

2017-2122s

AMENDED ANALYSIS

Insert:

1. Prohibits the department of health and human services from distributing state or federal funds to reproductive health care facilities that offer abortion services.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Giuda, French, Daniels, Avard, Birdsell, Morse.

The following Senators voted No: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Sanborn, Kahn, Lasky, Carson, Feltes, Reagan, Soucy, D'Allesandro, Fuller Clark, Gannon, Innis.

Roll Call, Yeas: 6 - Nays: 17. Failed.

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist 11

May 31, 2017

2017-2132s

05/01

Floor Amendment to HB 517

Amend the bill by replacing section 219 with the following:

219 Family Planning Accounting Unit; Funding Abortions Prohibited. Notwithstanding any provision of law to the contrary, the appropriation in accounting unit 05-95-90-902010-5530, family planning program, and any other funds shall not be used for evaluation, assessment, consultation about, referral for, preparation for, or provision of an abortion.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Giuda, Sanborn, Daniels, Avard, Birdsell, Morse.

The following Senators voted No: Woodburn, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Lasky, Carson, Feltes, Reagan, Soucy, D'Allesandro, Fuller Clark, Gannon, Innis.

Roll Call, Yeas: 6 - Nays: 17. Failed.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9

May 31, 2017

2017-2127s

06/03

Floor Amendment to HB 517

Amend the bill by inserting the following new section:

229 Department of Transportation; Appropriation; Construction of Sound Barrier in Bedford. The sum of \$990,000 is hereby appropriated to the department of transportation for the fiscal year ending June 30, 2017, for the purpose of constructing a noise reducing barrier wall on the F.E. Everett turnpike in the area of Teaberry Lane in the town of Bedford. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The appropriation in this section shall not lapse.

230 Effective Date. Section 229 of this act shall take effect June 30, 2017.

2017-2127s

AMENDED ANALYSIS

Insert:

109. Makes an appropriation to the department of transportation for the construction of a sound barrier on the F.E. Everett turnpike in Bedford.

The question is on the adoption of the Floor Amendment.

A division was requested.

Division, Yeas: 9 - Nays: 13. Failed.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Giuda, seconded by Senator Avard.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 9. Adopted, bill ordered to Third Reading.

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate on HB 144 and HB 517. Adopted.

Recess. Out of recess.

Senator Innis led the Pledge of Allegiance.

CAPITAL BUDGET

HB 25-FN-A, making appropriations for capital improvements.

Ought to Pass with Amendment, Vote 5-0. Senator D'Allesandro for the committee.

Capital Budget

May 15, 2017

2017-1755s

10/03

Amendment to HB 25-FN-A

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

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Adjutant General

A. Pembroke Readiness Ctr & State Active Duty Annex	15,000,000
Less Federal Funds	<u>(12,000,000)</u>
Net State	3,000,000
B. Concord Readiness Center	4,050,000
Less Federal Funds	<u>(4,050,000)</u>
Net State	0
C. Littleton Readiness Center Design	2,500,000
Less Federal Funds	<u>(2,500,000)</u>
Net State	0
D. Concord Anti-Terrorism Security Improvements	1,250,000
Less Federal Funds	<u>(625,000)</u>
Net State	625,000
E. Concord Medical Facility Health Improvements	500,000
Less Federal Funds	<u>(250,000)</u>
Net State	250,000
F. Statewide Fire/Life/Safety Improvements	1,000,000
Less Federal Funds	<u>(500,000)</u>
Net State	500,000
G. Statewide Critical Maintenance	300,000
Less Federal Funds	<u>(150,000)</u>
Net State	150,000
H. Manchester Roof Replacement	1,150,000
Less Federal Funds	<u>(575,000)</u>
Net State	575,000
I. Replace Roof on Cemetery Maintenance Building	125,000
J. Archaeological Study for Phase 2 Cemetery Development	55,000
K. Cemetery Expand Lawn Crypts, Roadways, Irrigation	2,418,000
Less Federal Funds	<u>(2,418,000)</u>
Net State	<u>0</u>

Total state appropriation paragraph I \$5,280,000

II. Department of Administrative Services

A. Statewide Projects	
1. Statewide Emergency Funding	500,000
2. Statewide Energy Efficiency Improvements Projects	500,000
B. General Services	
1. DoIT - New Computer Room Fire System	150,000
2. Safety - Roof Replacement	875,000
3. Spaulding - Roof Replacement	115,000
4. State Owned Buildings - Security Upgrades	1,700,000
5. Health and Human Services - Security Upgrades	900,000
6. Claremont - HVAC Replacements and Repairs	165,000
7. Walker Building - Roof Modifications	180,000
8. State Library Parapet and Ceiling Repair	1,500,000

9. Concord Steam Project, Heating of	
State-Owned Buildings	7,000,000
Less Other Funds*	<u>(7,000,000)</u>
Net State	0
C. Facilities & Asset Management	
1. Main Bldg Lodge Roof Replacement/brick/trim repairs	295,000
2. Main Bldg-North End ADA Access & Emergency Egress	1,715,000
3. Main Bldg, Peasley Wing Roof Replacement	380,000
D. Court Facilities	
1. Convert AOC Building to Probate Court	1,850,000
2. AOC - New Roof	165,000
3. Milford Circuit Court - New Courthouse	5,675,000
4. Supreme Court Building - New Roof, Insulation, Dome Repair	950,000
5. Hampton Circuit Court - New Courthouse	4,750,000
6. Portsmouth Circuit Court - New Roof	285,000
7. Rochester Circuit Court - New Roof	230,000
E. Financial Data Management	
1. ERP Sustainability and Advancement	1,300,000
2. ERP Scheduling and Attendance	<u>2,000,000</u>
Total state appropriation paragraph II	\$26,180,000

*To provide funds for the appropriation made in subparagraph B, 8, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$7,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the \$7,000,000 state appropriation shall be made from the dedicated fund established for the transfer of unexpended state heating system appropriations realized from savings resulting from the Concord Steam project. Such dedicated fund shall be established within RSA 21-I by legislation during the 2017 regular legislative session. If no such dedicated fund for state heating system savings from the Concord Steam project within RSA 21-I becomes law during the 2017 regular legislative session, the payments of principal and interest on the bonds and notes shall be made from the general fund.

III. Community College System of New Hampshire *

A. Critical Maintenance and Safety	4,200,000
B. Information Technology Infrastructure	3,400,000
C. Industry Pathway Lab Renovations	<u>2,000,000</u>
Total state appropriation paragraph III	\$9,600,000

* If the trustees of the community college system of New Hampshire determine that the funding needs for the projects authorized in subparagraphs A-C have been met, then up to \$200,000 of the sum appropriated in paragraph III may be used for Nashua community college aviation technology program planning.

IV. Department of Corrections

A. Transitional Work Center - Complete Bathroom Replace	500,000
B. Repair Bathroom Floors - Med Cust N & Med Cust S	650,000
C. Elevator Replacement	825,000
D. SHU Door Control Software (SHSP-Men)	450,000
E. Door Replacement (NHSP-Men)	101,000
F. Electronic Controls and Security Camera Installation	625,000
G. Body Alarm/Man Down System (NHSP-Men)	<u>2,000,000</u>
Total state appropriation paragraph IV	\$5,151,000

V. Department of Cultural Resources

A. Replacement of NH Union Catalog	487,781
Total state appropriation paragraph V	<u>\$487,781</u>

VI. Department of Education

A. Renovation of Plymouth CTE Center- State Share *	5,341,673
B. Renovation of Rochester CTE Center- State Share*	12,000,000
B. Pre-Engineering Technology Program	<u>200,000</u>
Total state appropriation paragraph VI	\$17,541,673

*The funds appropriated to the department of education for the CTE center, Plymouth and for the CTE center, Rochester, shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.

VII. Office of Energy and Planning

A. Fuel Assistance Program/Weatherization Assistance Program, Database and Program Management	316,000
Less Federal Funds	<u>(316,000)</u>
Net State	<u>0</u>
Total state appropriation paragraph VII	\$ 0

VIII. Department of Environmental Services

A. Dam Repairs and Reconstruction *	3,705,000
B. Drinking Water SRF State Matching Funds	3,619,800
C. Clean Water SRF State Matching Funds	3,333,700
D. Cyanobacteria Laboratory Equipment	50,000
E. Statewide Air Monitoring Infrastructure Upgrades	136,000
F. Hazardous Waste Superfund Match	445,000
G. Construction & Operations Facility	595,000
H. Ossipee Lake Dam Reconstruction	<u>4,909,000</u>
Total state appropriation paragraph VIII	\$16,793,500

*For the appropriation made in subparagraph VIII, A, the department is authorized to reallocate funds as necessary to address emergencies or alternate repairs or reconstruction needs at other dams if delays in other projects occur.

IX. Fish And Game Department

A. Headquarters Building Security	38,023
Less Other Funds*	<u>(38,023)</u>
Net State	0
B. Hatchery Infrastructure Improvements	146,000
Less Other Funds*	<u>(146,000)</u>
Net State	<u>0</u>
Total state appropriation paragraph IX	\$ 0

*To provide funds for the appropriations made in paragraph IX, A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$184,023 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fish and game fund established in RSA 206:33.

X. Department of Health and Human Services

A. MMIS Technical Stack Upgrade	27,838,341
Less Federal Funds	<u>(25,054,507)</u>
Net State	2,783,834
B. Glencliff Home Dementia Treatment Improvement	750,000

C. Developmental Services IT Remediation Plan	4,077,925
Less Federal Funds	<u>(3,670,133)</u>
Net State	407,792
D. Glencliff Home Fire Road & Travel Rebuild	560,000
E. New HEIGHTS & NH EASY Gateway Modernization	15,037,671
Less Federal Funds	<u>(12,631,643)</u>
Net State	2,406,028
F. DCYF Central Scanning Unit	999,457
Less Federal Funds	<u>(499,728)</u>
Net State	499,729
G. NH Hospital Air Handling System Upgrades	2,400,000
H. Automated In-Line Mailing System	500,000
Less Federal Funds	<u>250,000</u>
Net State	250,000
I. Glencliff Home LaMott Wing Window Replacement	<u>511,000</u>
Total state appropriation paragraph X	\$10,568,383
XI. Housing Finance Authority	
A. Affordable Housing Fund	<u>2,500,000</u>
Total state appropriation paragraph XI	\$2,500,000
XII. Department of Information Technology	
A. Cyber Security Program Enhancement	1,417,555
B. Enterprise Workflow/Document Mgmt (All - Enterprise)	1,200,000
C. Statewide Archiving Assessment*	471,250
D. Enterprise GIS Alignment (All-Enterprise)	<u>725,192</u>
Total state appropriation paragraph XII	\$3,813,997
* The department of information technology shall work in coordination with the secretary of state, division of archives and records management, in its assessment.	
XIII. Judicial Branch	
A. New Hampshire e-Court	<u>1,000,000</u>
Total state appropriation paragraph XIII	\$1,000,000
XIV. Legislative Branch	
A. Legislative Parking Garage Design	<u>740,000</u>
Total state appropriation paragraph XIV	\$740,000
XV. Liquor Commission	
A. Computer Software - Credit Cards - POS*	2,430,000
Less Other Funds	<u>(2,430,000)</u>
Net State	0
B. New 20,000 SF Liquor Store- Portsmouth*	8,310,000
Less Other Funds	<u>(8,310,000)</u>
Net State	0
C. Video Surveillance Systems*	1,200,000
Less Other Funds	<u>(1,200,000)</u>
Net State	0
D. Hampton North & South New Liquor Stores*	14,000,000
Less Other Funds	<u>(14,000,000)</u>
Net State	0

E. Complete Headquarters Renovation*	750,000
Less Other Funds	<u>(750,000)</u>
Net State	<u>0</u>
Total state appropriation paragraph XV	\$ 0

*To provide funds for the appropriations made in paragraph XV, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$26,690,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

XVI. Pease Development Authority	
A. Piscataqua River Turning Basin	<u>2,138,300</u>
Total state appropriation paragraph XVI	\$2,138,000
XVII. Police Standards And Training Council	
A. Replacement/Repair Driving Training and Parking Lot	<u>650,000</u>
Total state appropriation paragraph XVII	\$650,000
XVIII. Department of Resources and Economic Development	
A. Statewide Communication Console Replacement	420,000
B. Roofing & Repair of DRED Buildings Statewide	1,450,000
C. Dams & Retaining Walls	985,000
D. Restorations at Historic Sites	335,000
E. Fire Tower Repairs	580,000
F. Mount Washington Communication Building Study	200,000
G. Jenness Beach Bath House Replacement and Parking Lot Redevelopment	<u>456,840</u>
Total state appropriation paragraph XVIII	\$4,426,840
XIX. Department of Revenue Administration	
A. Revenue Information Management System (RIMS)*	30,160,000
Less Other Funds	<u>(24,160,000)</u>
Net State	<u>6,000,000</u>
Total state appropriation paragraph XIX	\$6,000,000

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019, 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue information management system account established within RSA 21-J by legislation during the 2017 regular legislative session. If no such dedicated fund for a revenue information management system account within RSA 21-J becomes law during the 2017 regular legislative session, the appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in subparagraph A with payments of principal and interest on the bonds and notes to be made from the general fund.

XX. Department of Safety	
A. Troop F Renovation, General Fund Portion	536,000
B. State Police Records Management System	<u>2,500,000</u>
Total state appropriation paragraph XX	\$3,036,000
XXI. Department of Transportation, General Funds	
A. Aeronautics, Rail, and Transit, Public Transit Bus & Facility Matching Funds	1,241,881

B. Repairs to Granite Arches in Westmoreland & Walpole	500,000
C. Coos County Rail Improvements*	1,000,000
D. Strafford & Carroll County Rail Improvements*	1,000,000
E. Eastern Slope Regional Airport Terminal/Hangar	
Building, State Match for Federal Funds	<u>75,000</u>
Total state appropriation paragraph XXI	\$3,816,881

* The sum appropriated in subparagraphs C and D shall be a match to private funds of an equal amount.

XXII. Veterans Home

A. LEDU Building Fire Wall Repairs	1,460,000
B. Security Infrastructure Improvements	<u>795,000</u>
Total state appropriation paragraph XXII	<u>\$2,255,000</u>
Total state appropriation section 1	\$121,979,355

2 Appropriation; Highway Funds. Department of Safety and Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety

A. Troop F Renovation, Highway Fund Portion	<u>264,000</u>
Total state appropriation paragraph I	\$264,000

II. Department of Transportation

A. Lisbon 114 - New Patrol Shed Facilities	3,110,000
B. Statewide-Underground Fuel Tank Replacement	1,000,000
C. Statewide Salt Sheds	1,700,000
D. Manchester 527 Addition to Patrol Shed	300,000
E. Dixville 103D New Patrol Shed Facilities	1,400,000
Less Other Funds*	<u>(250,000)</u>
Net State	1,150,000
F. Construction Equipment and Vehicles**	<u>10,000,000</u>
Total state appropriation paragraph II	<u>\$17,260,000</u>

*The project in subparagraph E is authorized to include \$250,000 of federal funds passed through by the Northern Border Regional Commission to the department.

** The sums appropriated in subparagraph F shall be used to purchase equipment with a useful life of 10 years or greater and shall not be used by the department, division of operations, mechanical services bureau, to purchase passenger cars or 1/2 or 3/4 ton pickup trucks.

Total state appropriation section 2	\$17,524,000
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3 Capital Appropriation; University System of New Hampshire. The sums hereinafter detailed are appropriated for the projects specified:

I. Plymouth State University Renovations	<u>\$3,000,000</u>
Total state appropriation section 3	\$3,000,000

4 Expenditures; General. The appropriations made for the purposes mentioned in sections 1 and 2 of this act, with the exception of appropriations in paragraph III of section 1, and the sums available for those projects, shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

5 Expenditures; Community College System of New Hampshire.

I. The appropriations made for the community college system in paragraph III of section 1 and the sums available for these projects shall be expended by the trustees of the community college system of New Hampshire.

II. The appropriations made to the community college system in paragraph III of section 1 are available for all costs incidental to the completion of the projects enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the community college system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the community college system board of trustees and pursuant to policies adopted by the board of trustees.

III. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of federal law and regulations.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the university system in section 3 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire.

II. The appropriations made to the university system in section 3 are available for all costs incidental to the completion of the projects enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the university system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees and pursuant to policies adopted by the board of trustees.

III. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of federal law and regulations.

7 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 of this act, if any, as may be acquired under the appropriation shall be purchased by the commissioner of the department of administrative services or the commissioner of the department of transportation with the approval of governor and council.

8 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$193,787,378 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds are as follows: general fund \$124,979,355, highway fund \$17,524,000, and other funds \$51,284,023.

9 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 of this act shall be made when due from the general fund of the state.

II. The payment of principal and interest on bonds issued for the projects in section 2 of this act shall be made from the highway fund.

10 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1 and 2 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 8 shall be reduced by the same amount.

11 Transfers. The individual project appropriations provided in sections 1 and 2 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget overview committee is obtained.

12 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced

by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 8 shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

13 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. The appropriations for those projects which are managed by the bureau of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act.

14 Lapse of Prior Capital Balance; Capital Appropriation; Liquor Commission; Concord Headquarters Roof Replacement.

I. The sum of \$100,000 from the unencumbered balances of the appropriation made to the liquor commission in 2015, 220:1, XI, A for Concord warehouse roof replacement, shall lapse on June 30, 2017.

II. The sum of \$500,000 from the unencumbered balances of the appropriation made to the liquor commission in 2013, 195:1, XII, I, as amended 2015, 220:14 and extended by 2015, 220:23, 84 for Concord warehouse roof replacement, shall lapse on June 30, 2017.

III. The sum of \$600,000 is hereby appropriated for the biennium ending June 30, 2019 to the liquor commissions for Concord headquarters roof replacement. Said funds shall not lapse until June 30, 2019.

IV. To provide funds for the appropriation made in paragraph III, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

V. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

15 Lapse of Prior Appropriations; Capital Appropriation; Department of Resources and Economic Development; Jenness Beach Bath House.

I. The sum of \$159,000 from the unencumbered balances of the appropriation made to the department of resources and economic development in 2011, 253:1, XII, C, extended by 2013 195:47, 84, extended by 2015, 220:23, 90 for Mt. Washington-Adams building concrete repair, shall lapse on June 30, 2017.

II. The sum of \$1,839 from the unencumbered balances of the appropriation made to the department of administrative services in 2015, 220:1, II, B, 9 for state house dome, shall lapse on June 30, 2017.

III. The sum of \$6,073 from the unencumbered balances of the appropriation made to the department of administrative services in 2015, 220:1, II, D, 2, as amended by 2016, 141:1, for Hampton Circuit Court, Architectural/ Engineering, shall lapse on June 30, 2017.

IV. The sum of \$39,911 from the unencumbered balances of the appropriation made to the department of administrative services in 2015, 220:1, II, D, 3, as amended by 2016, 141:1, for Milford Circuit Court, architectural/engineering, shall lapse on June 30, 2017.

V. The sum of \$17,600 from the unencumbered balances of the appropriation made to the department of administrative services in 2013, 195:1, II, D, 5, extended by 2015, 220:23, 15, for Manchester Circuit Court-house – install generator, shall lapse on June 30, 2017.

VI. The sum of \$28,487 from the unencumbered balances of the appropriation made to the department of administrative services in 2013, 195:1, II, C, 4, extended by 2015, 220:23, 13, for main building window replacement phase 1, shall lapse on June 30, 2017.

VII. The sum of \$82,400 from the unencumbered balances of the appropriation made to the department of administrative services in 2013, 195:1, II, B, 5, extended by 2015, 220:23, 11, for state house annex – replace roof, shall lapse on June 30, 2017.

VIII. The sum of \$106,915 from the unencumbered balances of the appropriation made to the department of administrative services in 2011, 253:1, II, D, 6, extended by 2013, 195:47, 18 extended by 2015, 220:23, 22 for health and human services-window repairs, shall lapse on June 30, 2017.

IX. The sum of \$40,935 from the unencumbered balances of the appropriation made to the department of administrative services in 2011, 253:1, II, B, 5, extended by 2013, 195:47, 10 extended by 2015, 220:23, 17 for lakes region facility roof repair, shall lapse on June 30 2017.

X. The sum of \$60,000 from the unencumbered balances of the appropriation made to the department of administrative services in 2009, 145:1, II, A, 2, extended by 2011, 253:28, 13 extended by 2013, 195:47, 22, extended by 2015, 220:23, 23 for master plan for the courts, shall lapse on June 30, 2017.

XI. The sum of \$543,160 is hereby appropriated for the biennium ending June 30, 2019 to the department of resources and economic development for Jenness Beach bath house renovation. Such sum shall be in addition to the appropriation in section 1, subparagraph XVII, F for the project.

XII. To provide funds for the appropriation made in paragraph XI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$543,160 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund.

XIII. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

16 Appropriation Purpose Amended. State House Complex Building Maintenance. Amend 2015, 220:21 to read as follows:

220:21 Lapse of Prior Capital Balance; Capital Appropriation; Legislative Branch; [~~Hall of Flags Conservation Project~~] ***State House Complex Building Maintenance***.

I. The sum of \$235,000 from the unencumbered balances of the appropriations made to the department of administrative services in 2011, 253:1, II, B, 6, extended by 2013, 195:47, 11 for Hugh Gallen OPS main building ADA restrooms, and to the department of agriculture in 2013, 195:1, III, A, for New Hampshire Building-Eastern States Expo-Roof Replacement shall lapse on June 30, 2015.

II. The sum of \$235,000 is hereby appropriated for the fiscal year ending June 30, 2015 to the legislative branch for [~~the initial phase of the State House hall of flags conservation project. The joint committee on legislative facilities and the joint legislative historical committee shall approve the preliminary plans prior to construction~~] ***building maintenance projects at the state house, the legislative office building, and the Upham-Walker house***. Said funds shall not lapse until June 30, [2017] **2019**.

III. To provide funds for the appropriation made in paragraph II, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$235,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

IV. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

17 Project Purpose Amended; Legislative Branch; Legislative Office Building Repairs. Amend 2015, 220:1, II, B, 8 to read as follows:

8. State House [~~and~~], Upham Walker House, ***and Legislative Office Building Repairs***

1,350,000

18 Contingency; Agency Name Changes; Department of Resources and Economic Development; Department of Cultural Resources; Office of Energy and Planning.

I. If legislation becomes law in the 2017 regular legislative session that changes the names and authority of the department of resources and economic development and the department of cultural resources to the department of business and economic affairs and the department of natural and cultural resources, the sums appropriated and the authorization for the projects in section 1 of this act, and any prior appropriations extended by this act, made to the department of resources and economic development and the department of cultural resources shall be transferred to the department of natural and cultural resources.

II. If legislation becomes law in the 2017 regular legislative session that changes the name and authority of the office of energy and planning to the office of strategic initiatives, the sums appropriated for the projects in section 1 of this act made to the office of energy and planning shall be transferred to the office of strategic initiatives.

19 Lapse Dates Extended to June 30, 2019. The following appropriations are hereby extended to June 30, 2019:

1. The appropriation made to the adjutant general in 2015, 220:1, I, A for columbarium expansion.
2. The appropriation made to the adjutant general in 2015, 220:1, I, B for construction of FMS -Southern NH.
3. The appropriation made to the adjutant general in 2015, 220:1, I, C for construction of FMS - Seacoast area.
4. The appropriation made to the adjutant general in 2015, 220:1, I, D for land for military construction.
5. The appropriation made to the adjutant general in 2015, 220:1, I, E for readiness center design.
6. The appropriation made to the adjutant general in 2015, 220:1, I, F for statewide readiness center restoration and modernization.
7. The appropriation made to the adjutant general in 2013, 195:1, I, A extended by 2015, 220:23, 1 for unspecified minor military construction.
8. The appropriation made to the adjutant general in 2013, 195:1, I, B extended by 2015, 220:23, 2 for land acquisition.
9. The appropriation made to the adjutant general in 2013, 195:1, I, D extended by 2015, 220:23, 3 for federal property conv. to readiness center and maintenance shop.
10. The appropriation made to the adjutant general in 2013, 195:1, I, F extended by 2015, 220:23, 5 for columbarium expansion.
11. The appropriation made to the adjutant general in 2007, 264:1, I, F extended by 2009, 145:19, 9 extended by 2011, 253:28, 11 extended by 2013 195:47, 5 extended by 2015, 220:23, 7 for regional training institute construction.
12. The appropriation made to the department of administrative services in 2015, 220:1, II, A, 1 for all state owned facilities - emergency repairs.
13. The appropriation made to the department of administrative services in 2015, 220:1, II, A, 2 for state-wide energy efficiency improvements.
14. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 1 for Hills Ave. new roof.
15. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 2 for Monadnock mill - wall repair.
16. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 3 for DHHS - new lab floor.
17. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 4 for DOJ new roof.
18. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 5 for Monadnock mill elevator upgrade.
19. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 6 for materials and research HVAC upgrades.
20. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 7 for all buildings burglar alarm replacement.
21. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 8, as amended by this act, for state house, Upham Walker house, and legislative office building repairs.
22. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 10 for state library repair parapet and ceiling.
23. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 11 for DOJ and Philbrook elevator code issues.
24. The appropriation made to the department of administrative services in 2015, 220:1, II, C, 1 for Brown building roof replacement.
25. The appropriation made to the department of administrative services in 2015, 220:1, II, C, 2 for Dolloff building, ADA restrooms and entryway.

26. The appropriation made to the department of administrative services in 2015, 220:1, II, D, 1, as amended by 2016, 141:1, for Merrimack County superior court - new courthouse.

27. The appropriation made to the department of administrative services in 2013, 195:1, II, C, 3 extended by 2015, 220:23, 12 for main building asbestos abatement/lead paint control.

28. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 4 extended by 2013, 195:47, 9 extended by 2015, 220:23, 16 for main building kitchen roof repair.

29. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 extended by 2013, 195:47, 13 extended by 2015, 220:23, 18 for critical IT infrastructure.

30. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 extended by 2013, 195:47, 14 extended by 2015, 220:23, 19 for ERP phase 2 HR and payroll systems.

31. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 1 extended by 2013, 195:47, 15 extended by 2015, 220:23, 20 for emergency repairs-all facilities.

32. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 3 extended by 2011, 253:28, 21 as amended by 2013, 195:14 extended by 2013, 195:47, 23 extended by 2015, 220:23, 24 for main building bakery, kitchen, connector, and industrial shop - raze buildings and create parking lot.

33. The appropriation made to the community college system in 2015, 220:1, III, A for critical maintenance.

34. The appropriation made to the community college system in 2015, 220:1, III, C for HVAC electrical technology.

35. The appropriation made to the community college system in 2013, 195:1, XVIII, A extended by 2015, 220:23, 25 for lump sum for capital projects.

36. The appropriation made to the department of corrections in 2015, 220:1, IV, A for new women's prison.

37. The appropriation made to the department of corrections in 2015, 220:1, IV, B for warehouse roof.

38. The appropriation made to the department of corrections in 2015, 220:19, II for repairs and renovations to the Calumet transitional housing units.

39. The appropriation made to the department of corrections in 2015, 220:22, II for Hancock housing unit bathrooms.

40. The appropriation made to the department of corrections in 2013, 195:1, IV, A extended by 2015, 220:23, 29 for 224 bed women's prison and transitional housing facility.

41. The appropriation made to the department of corrections in 2013, 195:1, IV, C extended by 2015, 220:23, 30 for electronic medical records.

42. The appropriation made to the department of corrections in 2009, 145:1, IV, A extended by 2011, 253:28, 36 extended by 2013, 195:47, 33 extended by 2015, 220:23, 32 for women's prison and transitional housing site/design.

43. The appropriation made to the department of education in 2015, 220:1, V, A for renovation CTE in Dover.

44. The appropriation made to the department of education in 2015, 220:1, V, B for renovation CTE in Somersworth.

45. The appropriation made to the department of education in 2013, 195:1, V, A amended by 2014, 237:2 extended by 2015, 220:23, 35 for renovation of CTE center Dover-state share.

46. The appropriation made to the department of education in 2013, 195:1, V, B extended by 2015, 220:23, 36 for renovation of CTE center Salem-state share.

47. The appropriation made to the department of education in 2011, 253:1, IV, A extended by 2013 195:47, 38 extended by 2015, 220:23, 37 pre-engineering tech. career pathway.

48. The appropriation made to the department of education in 2009, 145:1, V, A extended by 2011, 253:28, 46 extended by 2013, 195:47, 41 extended by 2015, 220:23, 39 for pre-engineering technology.

49. The appropriation made to the department of environmental services in 2015, 220:1, VI, A for dam repairs and reconstruction.

50. The appropriation made to the department of environmental services in 2015, 220:1, VI, B for hazardous waste superfund state match.

51. The appropriation made to the department of environmental services in 2015, 220:1, VI, C for Suncook river infrastructure protection project.

52. The appropriation made to the department of environmental services in 2015, 220:1, VI, D for rehabilitation of natural resources conservation.

53. The appropriation made to the department of environmental services in 2015, 220:1, VI, F for permitting, environmental monitoring and flood forecasting.

54. The appropriation made to the department of environmental services in 2015, 220:1, VI, G for drinking water SRF matching funds.

55. The appropriation made to the department of environmental services in 2015, 220:1, VI, H for clean water SRF state match funds.

56. The appropriation made to the department of environmental service in 2015, 220:18, II-a, as amended by 2016, 155:1, for a comprehensive monitoring program for the Piscataqua region estuaries.

57. The appropriation made to the department of environmental services in 2013, 195:1, VI, C extended by 2015, 220:23, 43 for clean water SRF matching funds.

58. The appropriation made to the department of environmental services in 2011, 253:1, VI, A extended by 2013, 195:47, 43 extended by 2015, 220:23, 45 for clean water state revolving fund loan program.

59. The appropriation made to the department of environmental services in 2011, 253:1, VI, E extended by 2013, 195:47, 47 extended by 2015, 220:23, 48 for WRBP infrastructure capital improvements.

60. The appropriation made to the department of environmental services in 2011, 253:1, VI, F extended by 2013, 195:47, 48 extended by 2015, 220:23, 49 for Suncook river infrastructure protection project.

61. The appropriation made to the department of environmental services in 2009, 145:1, VI, A extended by 2011, 253:28, 50 extended by 2013, 195:47, 49 extended by 2015, 220:23, 50 for WRBP wastewater treatment plant improvements.

62. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 extended by 2013, 195:47, 54 extended by 2015, 220:23, 51 for hazardous waste superfund match.

63. The appropriation made to the department of health and human services in 2015, 220:1, VII, A for Glencliff home potable water system.

64. The appropriation made to the department of health and human services in 2015, 220:1, VII, B for campus security Glencliff.

65. The appropriation made to the department of health and human services in 2015, 220:1, VII, C for main access tunnel repair.

66. The appropriation made to the department of health and human services in 2015, 220:1, VII, D for replace roof over auditorium at Howard rec.

67. The appropriation made to the department of health and human services in 2015, 220:1, VII, E for SYSC administration building - restroom upgrades.

68. The appropriation made to the department of health and human services in 2015, 220:1, VII, F for chillers and associated components replacement.

69. The appropriation made to the department of health and human services in 2015, 220:1, VII, G for child support systems maintenance and enhancement.

70. The appropriation made to the department of health and human services in 2015, 220:1, VII, H for new HEIGHTS access front door.

71. The appropriation made to the department of health and human services in 2015, 220:1, VII, I for the department email project.

72. The appropriation made to the department of health and human services in 2015, 220:1, VII, J for NHH electronic health record pharmacy and scanning module.

73. The appropriation made to the department of health and human services in 2015, 220:1, VII, K for NHH underground fuel line replacement, fuel conversion.

74. The appropriation made to the department of health and human services in 2015, 220:1, VII, L for NHH renovation of existing space.

75. The appropriation made to the department of health and human services in 2013, 195:1, VII, A extended by 2015, 220:23, 52 for Glencliff fire and ADA code compliance.

76. The appropriation made to the department of health and human services in 2013, 195:1, VII, B extended by 2015, 220:23, 53 for APS security and safety upgrades.

77. The appropriation made to the department of health and human services in 2013, 195:1, VII, C extended by 2015, 220:23, 54 for Glencliff residential building security.

78. The appropriation made to the department of health and human services in 2013, 195:1, VII, D extended by 2015, 220:23, 55 for Glencliff hydro dam repair.

79. The appropriation made to the department of health and human services in 2013, 195:1, VII, E extended by 2015, 220:23, 56 for new HEIGHTS incremental modernization.

80. The appropriation made to the department of health and human services in 2013, 195:1, VII, G extended by 2015, 220:23, 58 for food protection data system.

81. The appropriation made to the department of health and human services in 2013, 195:1, VII, I extended by 2015, 220:23, 60 for Bridges modernization project.

82. The appropriation made to the department of health and human services in 2011, 253:1, VII, D extended by 2013, 195:47, 60 amended by 2014, 121:3 extended by 2015, 220:23, 61 for APS repair/renovations-roof, windows and curtain wall.

83. The appropriation made to the department of health and human services in 2011, 253:1, VII, G extended by 2013, 195:47, 62 extended by 2015, 220:23, 62 for incremental renewal of new HEIGHTS.

84. The appropriation made to the department of health and human services in 2011, 253:1, VII, H extended by 2013, 195:47, 63 extended by 2015, 220:23, 63 for electronic health records.

85. The appropriation made to the department of health and human services in 2011, 253:1, VII, I extended by 2013, 195:47, 64 extended by 2015, 220:23, 64 for regional assessments database II.

86. The appropriation made to the department of health and human services in 2011, 253:1, VII, L extended by 2013, 195:47, 66 extended by 2015, 220:23, 66 for replatform option application.

87. The appropriation made to the department of health and human services in 2011, 253:1, VII, Q extended by 2013, 195:47, 70 extended by 2015, 220:23, 67 for ACCESS front door release II.

88. The appropriation made to the department of health and human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 extended by 2013, 195:47, 72 extended by 2015, 220:23, 69 for strategic plan for legacy systems, 50-50 federal match.

89. The appropriation made to the department of information technology in 2015, 220:1, IX, A for enterprise projects including cyber security, upgrades and inter agency coordination.

90. The appropriation made to the department of information technology in 2015, 220:1, IX, C for enterprise collaboration solution.

91. The appropriation made to the department of information technology in 2013, 195:1, VIII, A extended by 2015, 220:23, 71 for enterprise licensing solution.

92. The appropriation made to the department of information technology in 2013, 195:24, I extended by 2015, 220:23, 72 for productivity suite desktop security project.

93. The appropriation made to the department of information technology in 2013, 195:42, I extended by 2015, 220:23, 73 for business one stop.

94. The appropriation made to the judicial branch in 2015, 220:1, X, A for New Hampshire e-court.

95. The appropriation made to the judicial branch in 2013, 195:1, IX, A extended by 2015, 220:23, 74 for e-court initiative.

96. The appropriation made to the liquor commission in 2015, 220:1, XI, A for Concord warehouse roof replacement.

97. The appropriation made to the liquor commission in 2015, 220:14, XII, D for renovate warehouse for enforcement and maintenance.

98. The appropriation made to the liquor commission in 2015, 220:14, XII, H for Portsmouth traffic circle store #38, plans, layout and design.

99. The appropriation made to the liquor commission in 2015, 220:14, XII, J for signage and branding upgrade.

100. The appropriation made to the liquor commission in 2013, 195:1, XII, E extended by 2015, 220:23, 81 for renovate space from retail to office.

101. The appropriation made to the liquor commission in 2013, 195:1, XII, G extended by 2015, 220:23, 82 for computer software-credit card.

102. The appropriation made to the Pease development authority in 2015, 220:1, XII, A for the Piscataqua river turning basin.

103. The appropriation made to the department of resources and economic development in 2015, 220:1, XIII, A for roofing and repairs.

104. The appropriation made to the department of resources and economic development in 2015, 220:1, XIII, B for fire tower repairs - statewide.

105. The appropriation made to the department of resources and economic development in 2015, 220:1, XIII, C for toilet building renovation and repair.

106. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, A extended by 2015, 220:23, 87 for state parks improvements.

107. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C extended by 2011, 253:28, 77 extended by 2013, 195:47, 86 extended by 2015, 220:23, 91 for Mittersill expansion.

108. The appropriation made to the department of safety in 2015, 220:2, II, C for radio interoperability project.

109. The appropriation made to the department of safety in 2015, 220:1, XIV, D for radio interoperability project.

110. The appropriation made to the department of safety in 2013, 195:2, I, A extended by 2015, 220:23, 93 for radio interoperability infrastructure upgrade.

111. The appropriation made to the department of safety in 2013, 195:1, XIV, A extended by 2015, 220:23, 95 for radio interoperability infrastructure upgrade.

112. The appropriation made to the department of safety in 2011, 253:1, XIII, A extended by 2013 195:47, 89 extended by 2015, 220:23, 96 for e-911 next generation.

113. The appropriation made to the department of safety in 2009, 145:2, I, A extended by 2011, 253:28, 83 extended by 2013, 195:47, 92, extended by 2015, 220:23, 97 for DMV VISION project continuation.

114. The appropriation made to the department of safety in 2007, 264:2, I, D extended by 2009, 145:19, 63 extended by 2011, 253:28, 87 extended by 2013, 195:47, 93 extended by 2015, 220:23, 98 for OIT projects for DMV.

115. The appropriation made to the department of state in 2013, 195:1, XV, A as extended by 2015, 220:23, 99 for shelving replacement and fire suppression.

116. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 1 for 5 percent match for federal aviation administration project.

117. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 2 for repairs to state-owned railroad bridges.

118. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 3 for public transit bus and facility matching funds.

119. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 4 for Coos county rail improvements.

120. The appropriation made to the department of transportation in 2015, 220:2, III, A, for underground fuel tank replacement - statewide.

121. The appropriation made to the department of transportation in 2015, 220:2, III, B, for oversize/overweight permit software.

122. The appropriation made to the department of transportation in 2015, 220:2, III, C, for new patrol shed 114 Lisbon.

123. The appropriation made to the department of transportation in 2015, 220:2, III, D, for 602 Strafford patrol shed.

124. The appropriation made to the department of transportation in 2015, 220:2, III, E, for statewide salt sheds (3).

125. The appropriation made to the department of transportation in 2015, 220:2, III, F, for welcome and information center capital improvement.

126. The appropriation made to the department of transportation in 2015, 220:2, III, G, for Morton building - carpet replacement.

127. The appropriation made to the department of transportation in 2015, 220:2, III, H, construction equipment and vehicles.

128. The appropriation made to the department of transportation in 2013, 195:2, II, A extended by 2015, 220:23, 100 for underground fuel tank replacement statewide.

129. The appropriation made to the department of transportation in 2013, 195:2, II, B extended by 2015, 220:23, 101 for project development computer systems replacement.

130. The appropriation made to the department of transportation in 2013, 195:2, II, C extended by 2015, 220:23, 102 for JOMB data center HVAC and UPS replacement.

131. The appropriation made to the department of transportation in 2013, 195:2, II, D extended by 2015, 220:23, 103 for welcome information center critical and deferred maintenance.

132. The appropriation made to the department of transportation in 2013, 195:2, II, E extended by 2015, 220:23, 104 for new patrol shed ps528 Derry, design, engineering and construction.

133. The appropriation made to the department of transportation in 2013, 195:2, II, F extended by 2015, 220:23, 105 for new patrol shed, Strafford, design.

134. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 1 extended by 2015, 220:23, 106 for 5 percent match for FAA projects.

135. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 2 extended by 2015, 220:23, 107 for public transit bus and facility matching funds.

136. The appropriation made to the department of transportation in 2011, 253:1, XIV, A extended by 2013, 195:47, 94 extended by 2015, 220:23, 109 for 2.5 percent match for FAA projects.

137. The appropriation made to the department of transportation in 2011, 253:2, III, C extended by 2013, 195:47, 98 extended by 2015, 220:23, 111 for statewide salt sheds.

138. The appropriation made to the department of transportation in 2011, 253:2, III, D as amended by 2013, 195:43 extended by 2013, 195:47, 99 extended by 2015, 220:23, 112 for new patrol shed and salt storage - Salem.

139. The appropriation made to the department of transportation in 2009, 145:1, XII, A extended by 2011, 253:28, 88 extended by 2013, 195:47, 101 extended by 2015, 220:23, 113 for FAA projects.

140. The appropriation made to the department of transportation in 2009, 145:1, XII, C extended by 2011, 253:28, 90 extended by 2013, 195:47, 103 extended by 2015, 220:23, 115 for airport navigation equipment.

141. The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 2011, 253:28, 94 extended by 2013, 195:47, 105 extended by 2015, 220:23, 117 for replacement of automated fueling system-phase 2.

142. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 extended by 2013, 195:47, 110 extended by 2015, 220:23, 120 for railroad acquisition right of first refusal rail match.

143. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, extended by 2001, 202:28, XXXIII extended by 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 extended by 2013, 195:47, 111 extended by 2015, 220:23, 121 for acquisition for railroad and airport properties.

144. The appropriation made to the New Hampshire veterans' home in 2015, 220:1, XVII, A for third floor addition to the LEDU building - vets home.

145. The appropriation made to the New Hampshire veterans' home in 2013, 195:1, XVII, A extended by 2015, 220:23, 122 for equipment upgrades.

146. The appropriation made to the New Hampshire veterans' home in 2011, 253:1, XV, A extended by 2013, 195:47, 112 extended by 2015, 220:23, 123 for electronic medical records.

20 Effective Date.

I. Section 19 of this act shall take effect June 30, 2017.

II. The remainder of this act shall take effect July 1, 2017.

INTRODUCTION OF GUESTS

Senator Watters introduced Chief Steward Duane Egan of Boilermakers Local Union 651 in Newington, and other members of the Union and their families, visiting in the gallery.

The question is on the adoption of the Committee Amendment. Adopted.

Senator D'Allesandro offered a floor amendment.

Sen. D'Allesandro, Dist 20

Sen. Bradley, Dist 3

May 30, 2017

2017-2089s

10/05

Floor Amendment to HB 25-FN-A

Amend section 1 of the bill by replacing paragraphs X and XI with the following:

X. Department of Health and Human Services

A. MMIS Technical Stack Upgrade	22,838,341
Less Federal Funds	<u>(20,554,507)</u>

Net State	2,283,834
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B. Glencliff Home Dementia Treatment Improvement	750,000
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C. Developmental Services IT Remediation Plan	4,077,925
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Less Federal Funds	<u>(3,670,133)</u>
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Net State	407,792
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D. Glencliff Home Fire Road & Travel Rebuild	560,000
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E. New HEIGHTS & NH EASY Gateway Modernization	15,037,671
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Less Federal Funds	<u>(12,631,643)</u>
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Net State	2,406,028
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F. DCYF Central Scanning Unit	999,457
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Less Federal Funds	<u>(499,728)</u>
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Net State	499,729
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G. NH Hospital Air Handling System Upgrades	2,400,000
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H. Automated In-Line Mailing System	500,000
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Less Federal Funds	<u>250,000</u>
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Net State	250,000
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I. Glencliff Home LaMott Wing Window Replacement	<u>511,000</u>
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Total state appropriation paragraph X	\$10,068,383
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XI. Housing Finance Authority

A. Affordable Housing Fund	<u>3,000,000</u>
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Total state appropriation paragraph XI	\$3,000,000
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Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator French.

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Daniels, Avard, Lasky, Carson, Feltes, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Giuda, Sanborn.

Roll Call, Yeas: 21 - Nays: 2. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

COMMERCE

HB 305, clarifying lessee liability for month-to-month leases.

Ought to Pass with Amendment, Vote 3-0. Senator Innis for the committee.

INTRODUCTION OF PAGE

Senator Fuller Clark introduced Derrick Horton of Portsmouth, serving as the Senate Page for the day.

Commerce
May 23, 2017
2017-1990s
05/04

Amendment to HB 305

Amend RSA 540:11, II as inserted by section 1 of the bill by replacing it with the following:

II. A tenancy at will, from month to month, may be terminated by the lessee upon 30 days notice; provided that if the date of termination given in the notice does not coincide with the rent due date, the lessee is responsible for the rent for the entire month in which the notice expires, up to the next rent due date, unless the terms of the lease provide otherwise.

2017-1990s

AMENDED ANALYSIS

This bill clarifies lessee liability for rent when the notice of termination does not coincide with the rent due date in a tenancy at will.

Senator Innis moved to Lay on the Table HB 305. Adopted.

HB 343, relative to disapproval of forms.

Ought to Pass with Amendment, Vote 4-1. Senator French for the committee.

Commerce
May 23, 2017
2017-1992s
01/03

Amendment to HB 343

Amend the title of the bill by replacing it with the following:

AN ACT relative to disapproval of forms and authorizing the insurance commissioner to retain certain independent specialists.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Insurance Department; Staffing. Amend RSA 400-A:10 by inserting after paragraph II the following new paragraph:

III. If necessary to ensure the timely review of rates and forms submitted for approval under Title XXX-VII, the commissioner may retain, without appropriation under RSA 9 and without qualifying as a department expenditure under RSA 4:15, independent actuaries or other professionals or specialists as reviewers, the cost of which shall be borne by the regulated entity whose rates or forms are the subject of the review. The entity shall pay the retained professional or specialists directly for their costs. The commissioner shall conduct oversight of such independent reviewers in a manner that is consistent with standards for the use of

independent reviewers established by the National Association of Insurance Commissioners in its Financial Condition Examiners Handbook and Market Regulation Handbook and shall ensure that costs are reasonable for the work performed. The amount paid by the company under this paragraph in any fiscal year shall be applied as a nontransferable credit against the company's administrative fee under RSA 400-A:39 in the subsequent fiscal year and shall carry forward in future fiscal years as applicable.

4 New Paragraph; Insurance Department; Financial Disclosure Statement. Amend RSA 400-A:36 by inserting after paragraph IX the following new paragraph:

X. The commissioner may retain, without appropriation under RSA 9 and without qualifying as a department expenditure under RSA 4:15, attorneys, independent actuaries, independent certified public accountants, or other professionals or specialists to review financial statements, the cost of which shall be borne by the company which is the subject of the financial analysis. The company shall pay the retained professional or specialists directly for their costs. The commissioner shall conduct oversight of such independent reviewers in a manner that is consistent with standards for the use of independent reviewers established by the National Association of Insurance Commissioners in its Financial Condition Examiners Handbook and Market Regulation Handbook and shall ensure that costs are reasonable for the work performed. The amount paid by the company under this paragraph in any fiscal year shall be applied as a nontransferable credit against the company's administrative fee under RSA 400-A:39 in the subsequent fiscal year and shall carry forward in future fiscal years as applicable.

5 Insurance Department; Administration Fund. Amend RSA 400-A:39, VI(f) to read as follows:

(f) For each such insurer, the commissioner shall multiply the percent ascertained for it under subparagraph (e) by the ***sum of the*** amount indicated by paragraph V ***plus all credits applied pursuant to RSA 400-A:10, III, RSA 400-A:36, X, or RSA 401-C:7, II.*** The amount resulting, ***less any credits for which the insurer is eligible under RSA 400-A:10, III, RSA 400-A:36, X, or RSA 401-C:7, II,*** shall be the administrative fee for such insurer, provided that the minimum administrative fee payable by any such insurer shall be \$100.

6 Insurance Department; Insurance Holding Companies. Amend RSA 401-B:9 to read as follows:

401-B:9 Rules and Orders. The commissioner may, upon notice and opportunity for all interested persons to be heard, issue such rules and orders as shall be necessary to carry out the provisions of this chapter. ***To assist in the review of any transaction, or to otherwise determine compliance with this chapter, the commissioner may retain, without appropriation under RSA 9 and without qualifying as a department expenditure under RSA 4:15, attorneys, appraisers, independent actuaries, independent certified public accountants, or other professionals and specialists, the cost of which shall be borne by the company subject to such review. The company shall pay the retained professional or specialists directly for their costs. The commissioner shall conduct oversight of such independent reviewers in a manner that is consistent with standards for the use of independent reviewers established by the National Association of Insurance Commissioners in its Financial Condition Examiners Handbook and Market Regulation Handbook and shall ensure that costs are reasonable for the work performed.***

7 Insurance Department; Contents of ORSA Summary Report. Amend RSA 401-C:7, II to read as follows:

II. The review of the ORSA summary report, and any additional requests for information, shall be made using similar procedures currently used in the analysis and examination of multi-state or global insurers and insurance groups. ***To assist in the review of ORSA summary reports, the commissioner may retain, without appropriation under RSA 9 and without qualifying as a department expenditure under RSA 4:15, attorneys, appraisers, independent actuaries, independent certified public accountants, or other professionals and specialists, the cost of which shall be borne by the company subject to such review. The company shall pay the retained professional or specialists directly for their costs. The commissioner shall conduct oversight of such independent reviewers in a manner that is consistent with standards for the use of independent reviewers established by the National Association of Insurance Commissioners in its Financial Condition Examiners Handbook and Market Regulation Handbook and shall ensure that costs are reasonable for the work performed. The amount paid by the company under this paragraph in any fiscal year shall be applied as a nontransferable credit against the company's administrative fee under RSA 400-A:39 in the subsequent fiscal year and shall carry forward in future fiscal years as applicable.***

8 Effective Date. This act shall take effect upon its passage.

2017-1992s

AMENDED ANALYSIS

This bill declares that before a life insurance policy or annuity is sold to the public, the form must be approved by the insurance commissioner. This bill also authorizes the insurance commissioner to retain independent specialists to assist in certain duties of the insurance department.

This bill is a request of the insurance department.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

HB 527, relative to confidentiality of forms and rates.

Ought to Pass, Vote 3-2. Senator Lasky for the committee.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9

May 31, 2017

2017-2123s

01/10

Floor Amendment to HB 527

Amend the title of the bill by replacing it with the following:

AN ACT relative to confidentiality of forms and rates and relative to the length of docks on a water body, water body size.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraphs; Temporary Docks, and Boat Lifts. Amend RSA 482-A:3 by inserting after paragraph IV-a the following new paragraphs:

IV-b. An extension to any existing or grandfathered dock shall be exempt from permitting, provided that a notification is sent to the department by the owner of the property that includes the name and address of the property owner, the municipality, the waterbody, and tax map and lot number on which the proposed dock will be seasonally extended. To qualify for an exemption under this paragraph, a temporary seasonal dock extension shall be:

(a) Constructed to be an extension of an existing permitted or grandfathered dock;

(b) Constructed to be removed during the non-boating season;

(c) Removed from the lake bed for a minimum of 5 months a year;

(d) On bodies of water of over 1,000 acres, no more than 50 feet in length including the existing dock, or 300 square feet, such that at the end of the dock the water level shall be 4 feet of water or less as measured at normal full lake level; nor more than 40 feet total in length, including the existing dock or 240 square feet on bodies of water under 1,000 acres; and

(e) Located at least 20 feet from an abutting property line or the imaginary extension of the property line over the water, unless previously grandfathered or permitted.

IV-c. Temporary seasonal boat lifts installed in any lake or pond shall be exempt from the permitting requirements of this section, provided that a notification is sent to the department by the owner of the property that includes the name and address of the property owner, the municipality, the waterbody, and tax map and lot number on which the proposed lift will be located. No more than 1 boat lift shall be located on any property under this paragraph. To qualify for an exemption under this paragraph, a temporary seasonal boat lift shall:

(a) Only be installed adjacent to an existing permitted or grandfathered dock in a legally existing boat slip, such that no additional boat slip or dock is created;

(b) Be located at least 20 feet from the abutting property line or imaginary extension of the property line over the water under this section;

(c) Be removed during the non-boating season; and

(d) Be removed from the lake bed for a minimum of 5 months each year.

3 Boat Slip; Lake Size. Amend RSA 482-A:2, VIII (a) and (b) to read as follows:

(a) On water bodies over [10,000] **1,000** acres, [means] a volume of water 25 feet long, 8 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.

(b) On water bodies of [10,000] **1,000** acres or less, a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water mark and located adjacent to a structure to which a watercraft may be secured.

4 Effective Date.

I. Section 1 of this act shall take effect 90 days after its passage.

II. The remainder of this act shall take effect upon its passage.

2017-2123s

AMENDED ANALYSIS

This bill clarifies when forms and rates filed with the insurance department are open to public inspection.

This bill also exempts certain temporary seasonal docks and boat lifts from permitting requirements of the department of environmental services.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avard, seconded by Senator Giuda.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Sanborn, Daniels, Avard, Birdsell, Innis, Morse.

The following Senators voted No: Woodburn, Hennessey, Ward, Kahn, Lasky, Carson, Feltes, Reagan, Soucy, D'Allesandro, Fuller Clark, Gannon.

Roll Call, Yeas: 11 - Nays: 12. Failed.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

HB 632-FN, relative to appeals of liquor commission decisions.

Ought to Pass with Amendment, Vote 3-2. Senator French for the committee.

Commerce

May 10, 2017

2017-1699s

03/01

Amendment to HB 632-FN

Amend the bill by replacing sections 1-2 with the following:

1 Suspension or Revocation; Administrative Fines; Review. Amend RSA 179:57, II to read as follows:

II. Appeals from a decision of the commission shall be in accordance with RSA 541. ***A licensee may elect, within 30 days after rehearing or denial of a motion for rehearing, to have a decision reviewed by a neutral person designated by the circuit court administrative judge, as needed, who is not an employee of the commission. The licensee shall pay any fees due to the neutral person. The neutral person may affirm or reverse the decision of the commission, and the decision of the neutral person shall be binding on the licensee and the commission. Within 30 days of the neutral person's decision, the licensee or the commission may appeal by petition to the supreme court.***

2 Suspension or Revocation; Administrative Fines; Review. Amend RSA 179:57, II to read as follows:

II. Appeals from a decision of the commission shall be in accordance with RSA 541. ~~[A licensee may elect, within 30 days after rehearing or denial of a motion for rehearing, to have a decision reviewed by a neutral person designated by the circuit court administrative judge, as needed, who is not an employee of the commission. The licensee shall pay any fees due to the neutral person. The neutral person may affirm or reverse~~

~~the decision of the commission, and the decision of the neutral person shall be binding on the licensee and the commission. Within 30 days of the neutral person's decision, the licensee or the commission may appeal by petition to the supreme court.]~~

The question is on the adoption of the Committee Amendment. Failed.

The question is on the adoption of the motion of Ought to Pass. Failed.

Senator French moved Inexpedient to Legislate.

The question is on the adoption of the motion of Inexpedient to Legislate. Adopted.

ENERGY AND NATURAL RESOURCES

HB 190, relative to the wildlife habitat account and the fisheries habitat account.

Ought to Pass with Amendment, Vote 4-0. Senator Fuller Clark for the committee.

Energy and Natural Resources

May 23, 2017

2017-1984s

10/04

Amendment to HB 190

Amend section 2 of the bill by replacing the bill section heading with the following:

2 Fish and Game Fund; Pheasant Stamp or License Revenues. Amend RSA 206:35-a to read as follows:

The question is on the adoption of the Committee Amendment. Failed.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

HB 195, establishing a committee to study temporary seasonal docks.

Ought to Pass with Amendment, Vote 4-0. Senator Innis for the committee.

Energy and Natural Resources

May 23, 2017

2017-1980s

08/03

Amendment to HB 195

Amend subparagraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) One member of the senate, appointed by the president of the senate.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

SPECIAL ORDER

Without objection, the following bill is special ordered to the end of the calendar. Adopted

ENERGY AND NATURAL RESOURCES

HB 258, relative to the submission and approval of subsurface sewage disposal system plans, relative to septic requirements in conversions to accessory dwellings, and authorizing certain septage and sludge land applications.

HB 342, establishing a commission to study the transition of certain regulatory authority to the department of environmental services from the Environmental Protection Agency.

Re-refer to Committee, Vote 4-0. Senator Fuller Clark for the committee.

The question is on the adoption of the motion of Re-refer to Committee. Adopted.

HB 507, establishing a committee to study the responsibility of a person who through their pollution makes drinking water non-potable.

Inexpedient to Legislate, Vote 4-0. Senator Innis for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate. Adopted.

Senator Soucy is in opposition to the motion of Inexpedient to Legislate on HB 507.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 334, relative to exemptions from licensure by the board of medical imaging and radiation therapy. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Senate Executive Departments and Administration

May 24, 2017

2017-2018s

06/10

Amendment to HB 334

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

1 Medical Imaging and Radiation Therapy; Exemptions. RSA 328-J:25 is repealed and reenacted to read as follows:

328-J:25 Exemptions. Nothing in this chapter shall be construed to prevent or affect:

I. A licensed practitioner performing medical imaging or radiation therapy procedures within their scope of practice, education, training, and competence.

II. A registered dental hygienist licensed under the laws of the state of New Hampshire performing dental imaging procedures within their scope of practice, education, training, and competence and under the supervision of a dentist licensed under the laws of the state of New Hampshire.

III. A dental assistant licensed or holding a certificate under the laws of the state of New Hampshire performing dental imaging procedures within their scope of practice, education, training, and competence and under the supervision of a dentist licensed under the laws of the state of New Hampshire.

IV. A resident physician or a student enrolled in and attending a school or college of medicine, dentistry, osteopathy, chiropractic, podiatry, limited x-ray machine operator, medical imaging or radiation therapy who performs medical imaging or radiation therapy procedures on humans while under the supervision of a licensed practitioner or a person holding a license under this chapter in the supervised modality.

V. A person administering medical imaging or radiation procedures who is employed by the United States government when performing duties associated with that employment.

VI. A person licensed under the laws of the state of New Hampshire performing a sonography procedure within their scope of practice, education, training, and competence, that is used to assess specific and limited information about a patient's immediate medical condition, is limited to a focused imaging target and does not generate a recorded diagnostic medical image. A focused imaging target includes, but is not limited to:

- (a) Assessment of fetal presentation or heartbeat;
- (b) Assessment of fluid in a body cavity;
- (c) Assessment of foreign body position or location;
- (d) Fetal monitoring during active labor; or
- (e) Identification of an anatomical landmark or blood vessel for vascular access or administration of anesthesia.

VII. A person performing medical procedures or therapy on non-human subjects or cadavers.

VIII. A person licensed under the laws of the state of New Hampshire performing a medical procedure using ultrasound for a non-imaging purpose that is within their scope of practice, education, training, and competence.

IX. A person licensed to perform a medical imaging or radiation therapy modality, who is performing clinical procedures under the supervision of a licensed practitioner or a person holding a license under this chapter in the supervised modality, in preparation for certification in an additional medical imaging or radiation therapy modality. To receive this exemption, the person shall register with the board and meet the requirements as specified in this chapter and under the rules adopted by the board. The board may grant this exemption for a period not to exceed 3 years and the exemption may be renewed by the board.

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

2017-2018s

AMENDED ANALYSIS

This bill exempts from licensure by the board of medical imaging and radiation therapy regulated practitioners and other persons acting within that person's scope of practice, education, training, and competence.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

FINANCE

HB 164, relative to poker in private residences and relative to limits on wagers in charitable games of chance. Ought to Pass, Vote 4-2. Senator Giuda for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

Senator Morse is in opposition to the motion of Ought to Pass on HB 164.

HB 225, relative to information collection concerning electric renewable portfolio standards. Re-refer to Committee, Vote 5-1. Senator Feltes for the committee.

The question is on the adoption of the motion of Re-refer to Committee. Adopted.

Recess. Out of recess.

HB 353-FN, relative to sales of beer in refillable containers.

Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance

May 24, 2017

2017-2010s

03/10

Amendment to HB 353-FN

Amend the bill by replacing section 2 with the following:

2 New Section; Refillable Beer Container Licenses. Amend RSA 178 by inserting after section 31 the following new section:

178:32 Refillable Beer Container Licenses.

I. A beverage manufacturer licensee shall be issued a refillable beer container license authorizing the licensee to fill standard refillable containers in accordance with this section.

II. The licensee may fill only standard refillable beer containers and only during hours established by the commission in rules adopted pursuant to RSA 541-A. The licensee shall comply with sanitation standards for tap lines and containers, if established by the commission in rules.

III. An open-evident seal or closed package shall be applied by the licensee to the standard refillable beer container after filling.

Senator D'Allesandro moved to Lay on the Table HB 353-FN. Adopted.

HB 400, requiring the department of health and human services to develop a 10-year plan for mental health services, requiring the commissioner of the department of health and human services to issue certain requests for applications and requests for proposals, establishing the positions of associate commissioner and medical director in the department of health and human services, establishing the office of the child advocate and the oversight commission for children's services and juvenile justice, and establishing a home and community-based behavioral health services program for children.

Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance

May 25, 2017

2017-2033s

01/10

Amendment to HB 400

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of health and human services to develop a 10-year plan for mental health services, relative to due process rights of persons subject to involuntary emergency admissions, relative to the Philbrook center, and relative to reports of abuse and neglect.

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

1 Purpose and Findings. The general court finds that it is vitally important that children in the state of New Hampshire be protected from all forms of abuse and that reforms are necessary to ensure the safety of each child. The general court also finds that the state of New Hampshire faces a significant shortage in the state's capacity to provide our citizens with emergency mental health assistance and long term treatment. Accordingly, the general court hereby directs the department of health and human services to take the following steps in order to provide for the safety and welfare of the citizens of this state.

2 Department of Health and Human Services; Development of a 10-year Plan for Mental Health Services Required.

I. The department of health and human services, the bureau of behavioral health, and the division of public health services, shall develop a comprehensive 10-year plan for the mental health system. The 10-year strategy shall be founded on the principles of resiliency and recovery, evidence-based practice, effectiveness, and efficiency. In developing the plan, the department shall consult with provider organizations and associations, advocates, and policymakers. The department shall also conduct a needs assessment which includes:

(a) An inventory of existing services, including inpatient and outpatient services, housing supports, and peer and family supports; and

(b) A gap analysis to determine the need versus the current capacity of services. The analysis shall take into account wait-times for services.

II. The plan shall:

(a) Focus on a population health approach, particularly regarding the integration of the mental health system with other systems of care, including, but not limited to medical services, substance use services, and social services.

(b) Provide specific recommendations and steps to eliminate or reduce to the greatest extent practicable the number of persons waiting in hospital emergency departments and the resources necessary to implement those actions.

(c) Address a continuum of care, encompassing services and supports needed across the lifespan including:

(1) Establishing performance metrics to determine effectiveness of services.

(2) Emergent models of care.

(3) Providing recommendations to policymakers on strategies to meet the goals of the plan.

(d) Develop a timeline representing the appropriate phasing of priorities.

III. The commissioner of the department of health and human services shall submit the plan to the speaker of the house of representatives, the president of the senate, and the governor on or before July 1, 2018. The department shall provide interim reports to the oversight committee on health and human services, established under RSA 126-A:13, on or before October 1, 2017 and on or before March 1, 2018. Thereafter, the department shall report quarterly to the health and human services oversight committee providing an update on the progress of the development and implementation of the plan.

3 Plan Required for Statutory Due Process Rights of Certain Patients in Hospital Emergency Rooms or Other Facilities. The commissioner of the department of health and human services shall develop a plan with recommendations to ensure timely protection of the statutory and due process rights of patients subject to the involuntary emergency admissions process of RSA 135-C who are awaiting transfer to a designated receiving facility. The recommendations shall provide for judicial review on a schedule consistent with the statutorily required schedule for persons who have been admitted to a designated receiving facility. The commissioner shall consult with representatives of the American Civil Liberties Union of New Hampshire, New Hampshire Hospital Association, the New Hampshire Medical Society, the New Hampshire Psychiatric Society, the superior court system, the New Hampshire Bar Association, the National Alliance on Mental Illness, and the Disability Rights Center-NH. The plan shall be submitted to the oversight committee on health and human

services, established in RSA 126-A:13, for approval as soon as practicable. The commissioner shall make a report relative to the plan which shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before September 1, 2017.

4 Plan Required for Removal of Certain Persons From New Hampshire Hospital; Use of Philbrook Center. The commissioner of the department of health and human services shall by November 1, 2017 develop a plan to safely remove the remaining 24 youths from the New Hampshire hospital and to ensure that they continue to receive the care they need. The commissioner shall also examine the practicability of relocating the office of professional licensure and certification, established in RSA 310-A, to another state building to allow the Philbrook center to be used to accept certain persons from the New Hampshire hospital. The commissioner shall make a report relative to the plan and the relocation of the office of professional licensure and certification which shall be submitted to the speaker of the house of representatives, the president of the senate, the chairs of the house and senate committees having jurisdiction over health and human services, and the governor on or before November 2, 2017.

5 Child Protection Act; Definitions; Founded Report. Amend RSA 169-C:3, XIII-a to read as follows:

XIII-a. "Founded report" means a report made pursuant to this chapter for which the department finds ~~[probable cause to believe]~~ **by a preponderance of the evidence** that the child who is the subject of such report is abused or neglected.

6 New Paragraph; Child Protection Act; Definition of Unfounded but with Reasonable Concern. Amend RSA 169-C:3 by inserting after paragraph XXVIII the following new paragraph:

XXIX. A report that is "unfounded but with reasonable concern" means a report made pursuant to this chapter for which the department determines that there is probable cause to believe the child was abused or neglected, but for which there is insufficient evidence to establish by a preponderance of the evidence that the child was abused or neglected.

7 Child Protection Act; Duties of the Department of Health and Human Services; Administrative Review and Letter of Concern; When Required. Amend RSA 169-C:34, II to read as follows:

II. For each report it receives, the department shall promptly perform a child protective investigation to:

~~[(i)]~~ **(a)** Determine the composition of the family or household, including the name, address, age, sex, and race of each child named in the report, and any siblings or other children in the same household or in the care of the same adults, the parents or other persons responsible for their welfare, and any other adults in the same household;

~~[(ii)]~~ **(b) Determine whether any person in the same family or household was named in a prior report of abuse or neglect, and, if there are 2 or more prior unfounded or unfounded but with reasonable concern reports involving any family or household member, conduct an administrative review of all identified reports;**

(c) Determine whether there is probable cause to believe that any child in the family or household is abused or neglected, including a determination of harm or threatened harm to each child, the nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof, and a determination of the person or persons apparently responsible for the abuse or neglect;

~~[(iii)]~~ **(d)** Determine the immediate and long-term risk to each child if the child remains in the existing home environment; and

~~[(iv)]~~ **(e)** Determine the protective treatment, and ameliorative services that appear necessary to help prevent further child abuse or neglect and to improve the home environment and the parents' ability to adequately care for the children.

II-a. The department may issue a confidential letter of concern to a person or persons responsible for the safety and welfare of the child that although there is insufficient evidence to substantiate a finding of abuse or neglect or of unfounded but with reasonable concern, the department encourages the person or persons responsible for the safety and welfare of the child to seek family support services and provide contact information to obtain such services.

II-b. The department may make a confidential determination of unfounded but with reasonable concern.

8 Duties of the Department. Amend RSA 169-C:34, VII to read as follows:

VII. If the child's parents refuse to allow a social worker or state employee on their premises as part of the department's investigation, and the department has probable cause to believe that the child has been [~~sexually molested, sexually exploited, intentionally physically injured so as to cause serious bodily injury, physically injured by other than accidental means so as to cause bodily injury, a victim of a crime, abandoned,~~] **abused** or neglected, the department shall seek a court order to enter the premises. If the court finds probable cause to believe that the child has been abused or neglected [~~in the manner described in this paragraph~~], the court shall issue an order permitting a police officer, juvenile probation and parole officer, or child protection service worker to enter the premises in furtherance of the department's investigation and to assess the child's immediate safety and well-being. Any juvenile probation and parole officer or child protection service worker who serves or executes a motion to enter issued under this paragraph shall be accompanied by a police officer.

9 Records Management of Abuse and Neglect Reports. Amend RSA 169-C:35-a, III to read as follows:

III. The department shall retain a founded report **or unfounded but with reasonable concern report** for 7 years from the date that the department closes the case, after which time, the department shall delete or destroy all electronic and paper records of the report.

10 Report on Anticipated Cost of Expanded Services. The commissioner of the department of health and human services shall make a report detailing the anticipated cost of expanded services to be provided under RSA 169-C:34, II-a and II-b, which shall be submitted to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate committees having jurisdiction over health and human services, and the governor on or before November 2, 2017.

11 Effective Date.

I. Section 3 of this act shall take effect July 1, 2017.

II. Section 4 of this act shall take effect July 2, 2017.

III. The remainder of this act shall take effect upon its passage.

2017-2033s

AMENDED ANALYSIS

This bill:

I. Requires the department of health and human services to develop a comprehensive 10-year plan for the mental health system. The plan shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before July 1, 2018.

II. Requires the commissioner of the department of health and human services to develop a plan with recommendations to ensure statutory and due process rights of patients subject to involuntary emergency admissions who are in emergency rooms at hospitals or in other facilities.

III. Requires the commissioner of the department of health and human services to develop a plan to remove certain persons from New Hampshire hospital and to determine whether it is practical to relocate the office of professional licensure and certification.

IV. Requires a founded report of abuse and neglect to be based on a preponderance of the evidence, inserts a definition of "unfounded but with reasonable concern," and permits the department of health and human services to issue a confidential letter of concern encouraging the person to seek family support services.

V. Requires the commissioner to make a report relative to the anticipated cost of expanded services to be provided families under RSA 169-C:34.

The question is on the adoption of the Committee Amendment. Adopted.

Senator Carson offered a floor amendment.

Sen. Carson, Dist 14

June 1, 2017

2017-2141s

01/03

Floor Amendment to HB 400

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of health and human services to develop a 10-year plan for mental health services, relative to due process rights of persons subject to involuntary emergency admissions, relative to the Philbrook center, relative to reports of abuse and neglect, and extending the commission to review child abuse fatalities.

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 13:

11 Commission to Review Child Abuse Fatalities; Report Date Extended. Amend RSA 169-C:39-k, V to read as follows:

V. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015. The commission shall submit a final report of its findings and recommendations on or before June 30, [2017] **2018**.

12 Commission to Review Child Abuse Fatalities; Repeal Date Extended. Amend 2015, 127, II as amended by 2016, 201:2 and 2016, 229:3 to read as follows:

II. Section 5 of this act shall take effect June 30, [2017] **2018**.

2017-2141s

AMENDED ANALYSIS

This bill:

I. Requires the department of health and human services to develop a comprehensive 10-year plan for the mental health system. The plan shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before July 1, 2018.

II. Requires the commissioner of the department of health and human services to develop a plan with recommendations to ensure statutory and due process rights of patients subject to involuntary emergency admissions who are in emergency rooms at hospitals or in other facilities.

III. Requires the commissioner of the department of health and human services to develop a plan to remove certain persons from New Hampshire hospital and to determine whether it is practical to relocate the office of professional licensure and certification.

IV. Requires a founded report of abuse and neglect to be based on a preponderance of the evidence, inserts a definition of "unfounded but with reasonable concern," and permits the department of health and human services to issue a confidential letter of concern encouraging the person to seek family support services.

V. Requires the commissioner to make a report relative to the anticipated cost of expanded services to be provided families under RSA 169-C:34.

VI. Extends the commission to review child abuse fatalities.

The question is on the adoption of the Floor Amendment. Adopted.

Recess. Out of recess.

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3

May 31, 2017

2017-2139s

01/03

Floor Amendment to HB 400

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of health and human services to develop a 10-year plan for mental health services, relative to due process rights of persons subject to involuntary emergency admissions, relative to the Philbrook center, relative to reports of abuse and neglect, and relative to the commission to study grandfamilies in New Hampshire.

Amend the bill by replacing all after section 10 with the following:

11 Commission to Study Grandfamilies in New Hampshire. Amend RSA 170-G:17, III to read as follows:

III. Members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Seven members of the commission shall constitute a quorum. ~~[The senate health and human services committee staff shall provide clerical, administrative, and research services to the commission as may be needed.]~~

12 Contingency. If SB 148 of the 2017 regular legislative session becomes law, section 11 of this act shall take effect at 12:01 am on the date SB 148 becomes law. If SB 148 does not become law, section 11 of this act shall not take effect.

13 Effective Date.

I. Section 3 of this act shall take effect July 1, 2017.

II. Section 4 of this act shall take effect July 2, 2017.

III. Section 11 of this act shall take effect as provided in section 12 of this act.

IV. The remainder of this act shall take effect upon its passage.

2017-2139s

AMENDED ANALYSIS

This bill:

I. Requires the department of health and human services to develop a comprehensive 10-year plan for the mental health system. The plan shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before July 1, 2018.

II. Requires the commissioner of the department of health and human services to develop a plan with recommendations to ensure statutory and due process rights of patients subject to involuntary emergency admissions who are in emergency rooms at hospitals or in other facilities.

III. Requires the commissioner of the department of health and human services to develop a plan to remove certain persons from New Hampshire hospital and to determine whether it is practical to relocate the office of professional licensure and certification.

IV. Requires a founded report of abuse and neglect to be based on a preponderance of the evidence, inserts a definition of "unfounded but with reasonable concern," and permits the department of health and human services to issue a confidential letter of concern encouraging the person to seek family support services.

V. Requires the commissioner to make a report relative to the anticipated cost of expanded services to be provided families under RSA 169-C:34.

VI. Eliminates the staffing for the commission to study grandfamilies in New Hampshire.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Bradley introduced students from Effingham Elementary School visiting in the gallery.

The question is on the adoption of the Floor Amendment. Adopted.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

June 1, 2017

2017-2143s

10/05

Floor Amendment to HB 400

Amend the bill by inserting the following new section:

11 Review by Oversight Committee.

I. On or before June 30, 2018, the oversight committee on health and human services, established in RSA 126-A:13, shall review, evaluate, and report on whether measures taken in accordance with the provisions of this act have:

(a) Reduced the waiting list and waiting times for designated receiving facilities.

(b) Resulted in the referral and receipt of services at the appropriate level of care and in a timely manner.

(c) Improved the responsiveness of the state, payers, and providers to customer needs.

(d) Allowed the mental health medical supervisor to adequately assist in the mental health triage process.

II. The committee shall also include a review and comparison of the cost and benefits of other models of mental health triage and shall make a report including any recommendations.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

HB 463-FN, regulating groundwater pollution caused by polluting emissions in the air and relative to standards for emerging contaminants in drinking water.

Ought to Pass, Vote 6-0. Senator Giuda for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

MOTION TO REMOVE FROM THE TABLE

Senator Innis moved to remove HB 305 from the Table. Adopted.

COMMERCE

HB 305, clarifying lessee liability for month-to-month leases.

The pending motion is the Committee Amendment.

Senator Innis moved Re-refer to Committee.

The question is on the adoption of the motion of Re-refer to Committee. Adopted.

Recess. Out of recess.

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate on HB 400. The order of the floor amendments should be as follows: 2139s, 2141s, 2143s. Adopted.

HB 580-FN-A, regulating online fantasy sports contests.

Ought to Pass with Amendment, Vote 5-1. Senator D'Allesandro for the committee.

Senate Finance

May 24, 2017

2017-2008s

03/04

Amendment to HB 580-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT relative to fantasy sports contests.

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

1 New Subparagraph; Exemption of Fantasy Sports Contests. Amend RSA 647:2, V by inserting after subparagraph (c) the following new subparagraph:

(d) The conduct of fantasy sports contests. For purposes of this section, the term "fantasy sports contest" means a fantasy or simulated game or contest, with or without an entry fee, in which one or more players compete against each other and winning outcomes reflect the relative knowledge and skill of the players and are determined predominantly by accumulated statistical results of the performance of individuals, including athletes in the case of sporting events.

2 New Section; Fantasy Sports Contests; Exempt. Amend RSA 338 by inserting after section 4 the following new section:

338:5 Fantasy Sports Contests Exempt. This chapter shall not apply to fantasy sports contests. For purposes of this chapter, the term “fantasy sports contest” means a fantasy or simulated game or contest, with or without an entry fee, in which one or more players compete against each other and winning outcomes reflect the relative knowledge and skill of the players and are determined predominantly by accumulated statistical results of the performance of individuals, including athletes in the case of sporting events.

3 Effective Date. This act shall take effect upon its passage.

2017-2008s

AMENDED ANALYSIS

This bill allows participation in online fantasy sports contests for money.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

HB 652-FN, establishing a veterans track within the court system and relative to annulment of a sentence imposed by a mental health court.

Ought to Pass, Vote 5-0. Senator D’Allesandro for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

HEALTH AND HUMAN SERVICES

HB 469, establishing a continuous quality improvement program for pharmacies.

Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

Health and Human Services

May 23, 2017

2017-2004s

04/10

Amendment to HB 469

Amend the title of the bill by replacing it with the following:

AN ACT establishing a continuous quality improvement program for pharmacies, relative to vaccines administered by pharmacists, and relative to the authority of the insurance department on federal health care reform.

Amend RSA 318:45-a, IV-VI as inserted by section 1 of the bill by replacing them with the following:

IV.(a) The pharmacy shall either:

(1) Report incidents and unsafe events as quality-related events through a contracted patient safety organization (PSO) recognized by the Agency for Healthcare Research and Quality (AHRQ) whose primary mission is pharmacy continuous quality improvement; or

(2) Document incidents and unsafe events as quality-related events in an internal program in the pharmacy in a written record or computer database created solely for that purpose.

(b) The quality-related event shall be documented by the individual who discovers the event or the individual to whom it is initially reported. Documentation of quality-related events shall include a description of the event that is sufficient to permit categorization and analysis of the event. Pharmacies shall maintain such records at least until the event has been considered and incorporated in a summary of documented actions.

V. As a component of its CQI program, each licensed pharmacy shall assure that, following a quality-related event, all reasonably necessary steps have been taken to prevent or minimize patient harm.

VI. CQI programs shall be confidential. The summarization document shall analyze process improvements undertaken following a quality-related event. No patient names or employee names shall be included in this summarization. The summarization shall be maintained for 4 years and be made available within 3 business days of a request by the board’s inspectors. Continuous quality improvement records shall be considered peer-review documents and not subject to discovery in civil litigation or administrative actions.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Vaccines Administered by Pharmacists; Vaccines Added. Amend RSA 318 by inserting after section 16-c the following new section:

318:16-d Pharmacist Administration of Additional Vaccines. In addition to the authority under RSA 318:16-b, a pharmacist may administer hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccines to individuals 18 years of age or older, provided all of the criteria in this section have been met. The pharmacist shall:

I. Hold a current license to practice as a pharmacist in New Hampshire.

II. Possess at least \$1,000,000 of professional liability insurance coverage.

III. In order to administer hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccines, have completed training specific to the administering of the respective vaccines that includes programs approved by the Accreditation Council for Pharmacy Education (ACPE) or curriculum-based programs from an ACPE-accredited college of pharmacy or state or local health department programs or programs recognized by the board.

IV. Provide to the board evidence of compliance with paragraphs I-III.

V. Provide notice to the primary care provider, when designated by the patient, of the administration of the hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccines.

VI. Maintain a record of administration of hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccinations for each individual as required by state and federal law.

3 Nullification. The provisions of SB 65 of the 2017 regular legislative session, relative to vaccines administered by pharmacists, are hereby nullified and shall not take effect.

4 Individual Health Insurance Market; Contingency. RSA 404-G:12 is repealed and reenacted to read as follows:

404-G:12 Contingency.

I. Notwithstanding RSA 404-G:11, with the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner may request that the board of directors of the association develop a plan of operation to support the affordability of health insurance in the state's individual health insurance market. The proposal may include resumption of the risk adjustment program referenced in RSA 404-G:5, reopening of the high risk pool referenced in RSA 404-G:5-a, creation and operation of a reinsurance program, or such other program as the board finds will best support the availability and affordability of health insurance in the state. The commissioner shall approve the revised plan of operations if the commissioner finds that the plan will further the purpose of this chapter as stated in RSA 404-G:1, I, and is otherwise consistent with New Hampshire and federal law.

II. The board's proposal may include a recommendation that the state apply for a waiver under the Act (or any successor to the Act). If the approved plan includes application for an waiver, the commissioner shall proceed in accordance with RSA 420-N:6-a. If the waiver is approved by the federal government, the board shall prepare a revised plan of operations consistent with the terms of the waiver, and shall implement it upon approval by the commissioner.

5 Federal Health Care Reform 2010; Purpose and Scope. Amend RSA 420-N:1 to read as follows:

420-N:1 Purpose and Scope. The intent of this chapter is to preserve the state's status as the primary regulator of the business of insurance within New Hampshire and the constitutional integrity and sovereignty of the state of New Hampshire under the Tenth Amendment to the United States Constitution and part I, article 7 of the New Hampshire constitution and to create a legislative oversight committee to supervise the insurance commissioner's administration of the insurance reforms required under the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any **successor legislation and any** federal regulations, interpretations, standards, or guidance issued thereunder (hereinafter "the Act").

6 Federal Health Care Reform 2010; Definition of Act. Amend RSA 420-N:2, I to read as follows:

I. "Act" means the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any **successor legislation and any** federal regulations, interpretations, standards, or guidance issued thereunder.

7 New Section; Federal Health Care Reform 2010; Waiver. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Waiver. With the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner is authorized to submit an application on behalf of the state to the United States Secretary of the Treasury, and if required, to the United States Secretary of Health and Human Services, to waive certain provisions of

the Act, as provided in section 1332 of the Act, or any other applicable waiver provision. The commissioner is authorized to implement any federally approved waiver, including but not limited to overseeing the implementation of a revised plan of operations under RSA 404-G:12.

8 Individual Health Insurance Market; Contingency; 2020 Version. RSA 404-G:12 is repealed and reenacted to read as follows:

404-G:12 Contingency.

I. Notwithstanding RSA 404-G:11, if the commissioner determines that high risk pool enrollees will not have access to guaranteed issue coverage in the commercial marketplace, the commissioner may order the association to continue to provide coverage under the high risk pool authorized pursuant to RSA 404-G:5-b. Any such order by the commissioner shall be issued after consultation with the oversight committee on health and human services, established under RSA 126-A:13.

II. An order issued under paragraph I shall remain in effect until the earlier of the following:

(a) The date on which the commissioner determines that high risk pool enrollees have access to guaranteed issue coverage; or

(b) The effective date of any order executed by the commissioner pursuant to RSA 404-C addressing the availability of health insurance.

9 Federal Health Care Reform 2010; Purpose and Scope; Reference Deleted; 2020 Version. Amend RSA 420-N:1 to read as follows:

420-N:1 Purpose and Scope. The intent of this chapter is to preserve the state's status as the primary regulator of the business of insurance within New Hampshire and the constitutional integrity and sovereignty of the state of New Hampshire under the Tenth Amendment to the United States Constitution and part I, article 7 of the New Hampshire constitution and to create a legislative oversight committee to supervise the insurance commissioner's administration of the insurance reforms required under the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any ~~[successor legislation and any]~~ federal regulations, interpretations, standards, or guidance issued thereunder (hereinafter "the Act").

10 Federal Health Care Reform 2010; Definition of Act; Reference Deleted; 2020 Version. Amend RSA 420-N:2, I to read as follows:

I. "Act" means the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any ~~[successor legislation and any]~~ federal regulations, interpretations, standards, or guidance issued thereunder.

11 Repeal; 2020. RSA 420-N:6-a, relative to waivers under Federal Health Care Reform 2010, is repealed.

12 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

II. Section 2 of this act shall take effect January 1, 2018.

III. Sections 8-11 of this act shall take effect July 1, 2020.

IV. The remainder of this act shall take effect upon its passage.

2017-2004s

AMENDED ANALYSIS

This bill:

I. Requires licensed pharmacies to establish continuous quality improvement programs to identify weaknesses in processes and systems and make appropriate corrections.

II. Adds hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccines to the list of vaccines which may be administered by certain licensed pharmacists and nullifies the provision of SB 65 of the 2017 regular legislative session which addresses the same matter.

III. Adds provisions for the insurance department concerning federal health care reform, and repeals these provisions on July 1, 2020.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Bradley introduced students from Middleton Elementary School visiting in the gallery.

The question is on the adoption of the Committee Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Daniels, Avard, Lasky, Carson, Feltes, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Sanborn.

Roll Call, Yeas: 22 - Nays: 1. Adopted.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Fuller Clark, Dist 21

Sen. Hennessey, Dist 5

June 1, 2017

2017-2150s

10/05

Floor Amendment to HB 469

Amend the bill by replacing section 7 with the following:

7 New Section; Federal Health Care Reform 2010; Waiver or Grant Application. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Waiver or Grant Application. With the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner is authorized to submit an application on behalf of the state to the United States Secretary of the Treasury, and if required, to the United States Secretary of Health and Human Services, to waive certain provisions of the Act, as provided in section 1332 of the Act, or any other applicable waiver provision or grant program. Any such waiver or grant application submitted under this section shall be consistent with state insurance laws and existing regulatory guidance and shall preserve all consumer rights and protections contained therein. No waiver or grant application submitted under this section shall seek to waive consumer protections in the Act regarding coverage for pre-existing conditions or essential health benefits. The commissioner is authorized to implement any federally approved waiver or grant program, including but not limited to overseeing the implementation of a revised plan of operations under RSA 404-G:12.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Fuller Clark, Dist 21

Sen. Hennessey, Dist 5

June 1, 2017

2017-2149s

10/05

Floor Amendment to HB 469

Amend the bill by replacing section 7 with the following:

7 New Section; Federal Health Care Reform 2010; Waiver or Grant Application. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Waiver or Grant Application. With the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner is authorized to submit an application on behalf of the state to the United States Secretary of the Treasury, and if required, to the United States Secretary of Health and Human Services, to waive certain provisions of the Act, as provided in section 1332 of the Act, or any other applicable waiver provision or grant program. Any such waiver or grant application submitted under this section shall be consistent with state insurance laws and existing regulatory guidance and shall preserve all consumer rights and protections contained therein. No waiver or grant application submitted under this section shall seek to waive consumer protections in the Act regarding coverage for behavioral health care, including mental health services and addiction treatment. The commissioner is authorized to implement any federally approved waiver or grant program, including but not limited to overseeing the implementation of a revised plan of operations under RSA 404-G:12.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Avar.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Fuller Clark, Dist 21

Sen. Hennessey, Dist 5

June 1, 2017

2017-2148s

10/05

Floor Amendment to HB 469

Amend the bill by replacing section 7 with the following:

7 New Section; Federal Health Care Reform 2010; Waiver or Grant Application. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Waiver or Grant Application. With the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner is authorized to submit an application on behalf of the state to the United States Secretary of the Treasury, and if required, to the United States Secretary of Health and Human Services, to waive certain provisions of the Act, as provided in section 1332 of the Act, or any other applicable waiver provision or grant program. Any such waiver or grant application submitted under this section shall be consistent with state insurance laws and existing regulatory guidance and shall preserve all consumer rights and protections contained therein. No waiver or grant application submitted under this section shall seek to waive consumer protections in the Act regarding coverage for maternity and newborn care. The commissioner is authorized to implement any federally approved waiver or grant program, including but not limited to overseeing the implementation of a revised plan of operations under RSA 404-G:12.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avar, seconded by Senator French.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Fuller Clark, Dist 21

Sen. Hennessey, Dist 5

June 1, 2017

2017-2152s

10/05

Floor Amendment to HB 469

Amend the bill by replacing section 7 with the following:

7 New Section; Federal Health Care Reform 2010; Waiver or Grant Application. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Waiver or Grant Application. With the approval of the governor and the joint health care reform oversight committee, and after issuing public notice, conducting a hearing, and receiving public comment, the commissioner is authorized to submit an application on behalf of the state to the United States Secretary of the Treasury, and if required, to the United States Secretary of Health and Human Services, to waive certain provisions of the Act, as provided in section 1332 of the Act, or any other applicable waiver provision or grant program. Any such waiver or grant application submitted under this section shall be consistent with state insurance laws and existing regulatory guidance and shall preserve all consumer rights and protections contained therein. No waiver or grant application submitted under this section shall seek to waive consumer protections in the Act regarding coverage for pre-existing conditions. The commissioner is authorized to implement any federally approved waiver or grant program, including but not limited to overseeing the implementation of a revised plan of operations under RSA 404-G:12.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Avar.

The following Senators voted Yes: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

Roll Call, Yeas: 9 - Nays: 14. Failed.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Gannon.

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Daniels, Avar, Lasky, Carson, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Giuda, Sanborn, Feltes, Reagan.

Roll Call, Yeas: 19 - Nays: 4. Adopted.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider HB 469, the bill having previously been found Ought to Pass with Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Gannon.

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Daniels, Avar, Lasky, Carson, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Sanborn, Feltes, Reagan.

Roll Call, Yeas: 20 - Nays: 3. Adopted, bill ordered to Third Reading.

JUDICIARY

HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana. Ought to Pass with Amendment, Vote 4-1. Senator Lasky for the committee.

Senate Judiciary
May 23, 2017
2017-1978s
04/06

Amendment to HB 215

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

1 New Subdivision; Commission to Study the Legalization, Regulation, and Taxation of Marijuana. Amend RSA 318-B by inserting after section 42 the following new subdivision:

Commission to Study the Legalization, Regulation, and Taxation of Marijuana

318-B:43 Commission to Study the Legalization, Regulation, and Taxation of Marijuana Established.

I. There is established a commission to study the legalization, regulation, and taxation of marijuana. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

(c) The attorney general, or designee.

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

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

(f) The commissioner of the department of revenue administration, or designee.

(g) The commissioner of the department of agriculture, markets, and food, or designee.

(h) The banking commissioner, or designee.

(i) The chief justice of the New Hampshire superior court, or designee.

(j) A representative of the New Hampshire Association of Chiefs of Police, appointed by that organization.

(k) A representative of New Futures, appointed by that organization.

(l) One representatives of the public, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall examine the possible impacts of changing state policy to treat marijuana in a manner similar to the way the state deals with alcohol and shall study the legalization, regulation, and taxation of marijuana including the specific issues related to growing, selling, taxing, limiting use, advertising, promoting, and otherwise regulating marijuana and marijuana-infused edible products. The commission shall also study the experiences of New Hampshire and other states regarding the use of marijuana for medical purposes and for recreational purposes. The commission shall also study the experiences of states that have or are in the process of legalizing and regulating the recreational use of marijuana by adults, with particular attention to be given to the ways the changes in marijuana laws in Maine and Massachusetts, as well as Canada, impact our state. The commission shall study any other issue that the commission deems relevant to its objective. The commission may solicit the advice or testimony of any organization or individual with information or expertise relevant to its study.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2018.

2 Repeal. RSA 318-B:43, relative to a commission to study the legalization, regulation, and taxation of marijuana, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 2, 2018.

II. The remainder of this act shall take effect upon its passage.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Fuller Clark, seconded by Senator Gannon.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Sanborn, Daniels, Avard, Lasky, Carson, Reagan, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Woodburn, Hennessey, Ward, Kahn, Feltes, Soucy, Birdsell, Morse.

Roll Call, Yeas: 15 - Nays: 8. Adopted, bill ordered to Third Reading.

MOTION TO VACATE

Senator Daniels moved, without objection, that the following House Bill is vacated from the Finance Committee and referred to the Energy and Natural Resources Committee. Adopted.

HB 225-FN, relative to information collection concerning electric renewable portfolio standards.

SPECIAL ORDER

Without objection, the following bill is special ordered to after the House Messages. Adopted

ENERGY AND NATURAL RESOURCES

HB 258, relative to the submission and approval of subsurface sewage disposal system plans, relative to septic requirements in conversions to accessory dwellings, and authorizing certain septage and sludge land applications.

Without objection, the Clerk shall read the first complete House Message and thereafter only the title of each bill shall be read.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 84, relative to having a loaded firearm in a motorhome, and relative to having or carrying a loaded rifle or shotgun in a motor vehicle.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Chandler, L'Heureux, Webb and Manley

Senator Avard moved to accede to House request. Adopted.

The President appointed Senators Avard, Bradley and Woodburn.

HB 228, relative to transportation of alcoholic beverages by a minor.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Chandley, Gagne, Welch and Gargas

Senator Carson moved to accede to House request. Adopted.

The President appointed Senators Carson, French and Lasky.

HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Sapareto, Welch, Fields and O'Leary

Senator Carson moved to accede to House request. Adopted.

The President appointed Senators Carson, French and Lasky.

HB 448, relative to certain ignition interlock violations.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Sapareto, Welch, Fields and O'Leary

Senator Carson moved to accede to House request. Adopted.

The President appointed Senators Carson, French and Lasky.

HB 371-LOCAL, relative to bond requirements for public works contracts.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Chandler, McConkey, J. Graham and Ebel

Senator Birdsell moved to accede to House request. Adopted.

The President appointed Senators Birdsell, Bradley and Watters.

Recess. Out of recess.

ENERGY AND NATURAL RESOURCES

HB 258, relative to the submission and approval of subsurface sewage disposal system plans.

Ought to Pass with Amendment, Vote 4-0. Senator Bradley for the committee.

Energy and Natural Resources

May 23, 2017

2017-1981s

08/10

Amendment to HB 258

Amend the title of the bill by replacing it with the following:

AN ACT relative to the submission and approval of subsurface sewage disposal system plans, relative to septic requirements in conversions to accessory dwellings, and authorizing certain septage and sludge land applications.

Amend the bill by replacing all after section 3 with the following:

4 Accessory Dwelling Units; Sewage Disposal Systems. Amend RSA 674:72, V to read as follows:

V. The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units. ***In order to comply with this paragraph and prior to constructing an accessory dwelling unit, an application for approval for a sewage disposal system shall be submitted in accordance with RSA 485-A as applicable. The approved sewage disposal system shall be installed only if the existing system has not received construction approval and approval to operate under current rules or predecessor rules, or the system fails or otherwise needs to be repaired or replaced.***

5 Use Authorization; Septage and Sludge Land Application. Amend 1998, 56:6 as amended by 2003, 43:14, 2003, 302:3, 2005, 141:2, 2007, 287:1, and 2011, 32:5 to read as follows:

56:6 [Temporary] Use Authorization. The septage and sludge land application restrictions contained in RSA 483:9, VI(c), RSA 483:9-a, VII(b), RSA 483:9-aa, VII(b), and RSA 483:9-b, VII(b) shall not apply [until January 1, 2017] to any land upon which septage or sludge has been spread in accordance with all appli-

cable rules adopted by the federal Environmental Protection Agency and the New Hampshire department of environmental services, during any portion of the 3-year period prior to January 1, 1998. In addition, there shall be no termination of this restriction exemption for qualifying land that is used for scientific research on septage or sludge. Any continued application of septage and sludge pursuant to this section shall comply with all applicable federal and state laws and any best management practices published by the university of New Hampshire cooperative extension.

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

2017-1981s

AMENDED ANALYSIS

This bill:

I. Makes various changes to the process for submission and approval of subsurface sewage disposal system plans.

II. Extends an exemption from restrictions on certain septage and sludge land application.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

MOTION TO REMOVE FROM THE TABLE

Senator Carson moved to remove HB 468-FN from the Table. Adopted.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 468-FN, relative to licensure of mental health practitioners from other states.

The pending motion is the Committee Amendment.

Senate Executive Departments and Administration

April 5, 2017

2017-1313s

10/01

Amendment to HB 468-FN

Amend RSA 330-A:26, II as inserted by section 1 of the bill by replacing it with the following:

II. An applicant whose state licensure meets the requirements in paragraph I shall be deemed able to practice in this state not more than 60 days after the application is received by the board pending final approval or denial for other reason by the board. The board shall adopt rules under RSA 541-A to ensure the timely review and approval of applications under this section.

2017-1313s

AMENDED ANALYSIS

This bill allows persons licensed as mental health practitioners in other states to practice in this state not more than 60 days after application to the board of mental health practice, pending final approval.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

MOTION OF RECONSIDERATION

Senator Ward, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 527, relative to confidentiality of forms and rates: Rescind Order to Third Reading, reconsider the vote on Ought to Pass and reconsider the vote on Floor Amendment 2123s. Adopted.

Sen. Sanborn, Dist 9

May 31, 2017

2017-2123s

01/10

Floor Amendment to HB 527

Amend the title of the bill by replacing it with the following:

AN ACT relative to confidentiality of forms and rates and relative to the length of docks on a water body, water body size.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraphs; Temporary Docks, and Boat Lifts. Amend RSA 482-A:3 by inserting after paragraph IV-a the following new paragraphs:

IV-b. An extension to any existing or grandfathered dock shall be exempt from permitting, provided that a notification is sent to the department by the owner of the property that includes the name and address of the property owner, the municipality, the waterbody, and tax map and lot number on which the proposed dock will be seasonally extended. To qualify for an exemption under this paragraph, a temporary seasonal dock extension shall be:

- (a) Constructed to be an extension of an existing permitted or grandfathered dock;
- (b) Constructed to be removed during the non-boating season;
- (c) Removed from the lake bed for a minimum of 5 months a year;
- (d) On bodies of water of over 1,000 acres, no more than 50 feet in length including the existing dock, or 300 square feet, such that at the end of the dock the water level shall be 4 feet of water or less as measured at normal full lake level; nor more than 40 feet total in length, including the existing dock or 240 square feet on bodies of water under 1,000 acres; and
- (e) Located at least 20 feet from an abutting property line or the imaginary extension of the property line over the water, unless previously grandfathered or permitted.

IV-c. Temporary seasonal boat lifts installed in any lake or pond shall be exempt from the permitting requirements of this section, provided that a notification is sent to the department by the owner of the property that includes the name and address of the property owner, the municipality, the waterbody, and tax map and lot number on which the proposed lift will be located. No more than 1 boat lift shall be located on any property under this paragraph. To qualify for an exemption under this paragraph, a temporary seasonal boat lift shall:

- (a) Only be installed adjacent to an existing permitted or grandfathered dock in a legally existing boat slip, such that no additional boat slip or dock is created;
- (b) Be located at least 20 feet from the abutting property line or imaginary extension of the property line over the water under this section;
- (c) Be removed during the non-boating season; and
- (d) Be removed from the lake bed for a minimum of 5 months each year.

3 Boat Slip; Lake Size. Amend RSA 482-A:2, VIII (a) and (b) to read as follows:

(a) On water bodies over [~~10,000~~] **1,000** acres, [~~means~~] a volume of water 25 feet long, 8 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.

(b) On water bodies of [~~10,000~~] **1,000** acres or less, a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water mark and located adjacent to a structure to which a watercraft may be secured.

4 Effective Date.

I. Section 1 of this act shall take effect 90 days after its passage.

II. The remainder of this act shall take effect upon its passage.

2017-2123s

AMENDED ANALYSIS

This bill clarifies when forms and rates filed with the insurance department are open to public inspection.

This bill also exempts certain temporary seasonal docks and boat lifts from permitting requirements of the department of environmental services.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avard, seconded by Senator Giuda.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Ward, Sanborn, Daniels, Avard, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Hennessey, Kahn, Lasky, Carson, Feltes, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Bradley moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Birdsell: HB 652-FN

Senator Feltes: HB 517

Senator Sanborn: HB 25-FN-A, HB 143, HB 144, HB 164, HB 170, HB 190, HB 195, HB 215, HB 225, HB 258, HB 305, HB 334, HB 342, HB 343, HB 353-FN, HB 372, HB 400, HB 463-FN, HB 468-FN, HB 469, HB 507, HB 517, HB 527, HB 580-FN-A, HB 632-FN, HB 652-FN

ANNOUNCEMENTS

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Point of personal privilege please? Thank you, Mister President. Mister President, John F. Kennedy would be 100 years old this year had he survived. I believe we would be living in a different world. When I was a student at the University of New Hampshire in 1960, I met John Fitzgerald Kennedy. He was something special. He looked like a president; he spoke to the crowd in a way that captured the audience. When he spoke the country took notice. He was a true hero. His service in World War II won him admiration of the nation. The way he saved his crew was a true test of courage. I was a young boy growing up in Massachusetts when he ran for congress; it was an easy win for him as he had everything going for him in the right direction. His run for senate was much more difficult, as his opponent was Henry Cabot Lodge, and the Lodges spoke only to God. Lodge was a man of stature and a man with an impressive record of public service. John F. Kennedy won that election and the rest was yet to come. On this, the hundredth anniversary of his birth, we always wonder what would've been. Now we always talk about the day of his death, but we should remember the day of his birth because that brought something into the world that became very, very special. His life was taken way too early. He will remain in my eyes, and the eyes of the world, forever young. His campaign to become our president was a long and hard one. New Hampshire played a key role, and the battle over his religion was hard to overcome. There were minsters who preached from their pulpit, how could you elect a Roman Catholic to the presidency? How could you do that? It was hard to believe, that a Catholic man would ever be elected President of the United States. Kennedy was a star in the first presidential debate, and the election was as close as any election has ever been. It was an election that drew the greatest number of votes of any election in the modern era. When the results were in, John F. Kennedy became the youngest man ever elected to be President of the United States. The words in his inaugural address will live forever: "Ask not what your country can do for you, ask what you can do for your country." A real change from what we hear today. President Kennedy is the reason why I'm involved in public service. His work as our President made me believe that a single person could make the difference. No one's perfect, but some are given a gift that helps others feel good about themselves and their country. He had that gift. When I travel to Washington D.C., I try to travel to Arlington Cemetery; I always visit the grave of John Kennedy. I stand there and I ask the question, what could we have done had his life not been taken so early. The lives of many people were moved in a positive way by his message and his personal charm. I'm left with this one thought at this 100th anniversary of his life goes by. If you believe

that someone can make a difference, then the hope for a better day always exists. This is what we lost on that tragic day in Dallas. We must rekindle the spirit and improve the lives of the people we serve. In this way we fulfill the American dream. Thank you, John Fitzgerald Kennedy, for giving me the desire to serve and to help make things better. I had the honor of meeting John Kennedy at the University of New Hampshire. You know I shook his hand and he said, "Hi, I'm John Kennedy." I said, "Hi I'm Lou D'Allesandro." A day I'll never forget. And you know as we think about public service, and as we think about inspiring others to become public servants, just review sometimes the tapes of the press conferences that he had and the speeches that he gave. One person can really make the difference; it can make the difference in all of our lives, and that person is around here someplace. And in my life it was John Kennedy who made a difference. A man I will never forget, a time in my life I will never forget. Thank you, Mister President.

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSELL: Thank you, Mister President. Moment of personal privilege? Actually, a good dovetail on this one. I rise today on the tail of Memorial Day and May 30th, the original Memorial Day which also would have been my dad's 98th birthday, and he wasn't too happy when the Federal Government changed the date. As you know I'm a veteran and I come from a military family. My sister and brother-in-law served in the Army, and my dad served in World War II in Korea. As you know we're losing our World War II vets at an alarming rate and we're losing a major piece of our history. It's going with them. As teenagers my sister and I both learned about the holocaust and we spoke about it with both my parents. What I didn't know until after my father's death in 1988 that his unit was the first to liberate the concentration camp in Dachau. Both my sister and I lost an opportunity to understand what my dad, a member of the greatest generation, went through on that day. I want to encourage all of you, if you know anyone who served in any of the wars from World War II through Iraq and Afghanistan, to please get their stories written down because, again, we are losing a piece of our history each time we lose one of our service members. I will close with my favorite poem by Charles M Province:

It Is The Soldier

It is the Soldier, not the minister
Who has given us the freedom of religion.

It is the Soldier, not the reporter
Who has given us the freedom of press.

It is the Soldier, not the poet
Who has given us the freedom of speech.

It's the Soldier, not the campus organizer
Who has given us the freedom to protest.

It is the Soldier, not the lawyer
Who has given us the right to a fair trial.

It's the Soldier, not the politician
Who has given us the right to vote.

It is the Soldier who salutes the flag,
Who serves beneath the flag,
And whose coffin is draped by the flag.
Who allows the protester to burn the flag.

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Charles M. Province, U.S. Army

Thank you, Mister President.

(The Chair recognized Senator Avard.)

SENATOR AVARD: Point of personal privilege. Mine's really short—my grandson Anthony Poullos, who is living on base in Fort Benning, his birthday was last night, and I wished him happy birthday from the Senate floor, and I just wanted him to be recognized. So there is another person who was born on a very important date. Living on base, his step-dad is full time army, and I'm very proud of all four of my grandkids that are living there. Thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President, members of the Senate. I rise to express my deep respect for fellow veterans and a veteran who is my spouse, whose birthday is tomorrow. Thank you.

Without objection, all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17)

LATE SESSION

Third Reading and Final Passage

HB 25-FN-A, making appropriations for capital improvements.

HB 144, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019.

HB 164, relative to poker in private residences and relative to limits on wagers in charitable games of chance.

HB 170, relative to posting notice and minutes of public meetings on the public body's website.

HB 190, relative to the wildlife habitat account and the fisheries habitat account.

HB 195, establishing a committee to study temporary seasonal docks.

HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana.

HB 258, relative to the submission and approval of subsurface sewage disposal system plans, relative to septic requirements in conversions to accessory dwellings, and authorizing certain septage and sludge land applications.

HB 334, relative to exemptions from licensure by the board of medical imaging and radiation therapy.

HB 343, relative to disapproval of forms and authorizing the insurance commissioner to retain certain independent specialists.

HB 400, requiring the department of health and human services to develop a 10-year plan for mental health services, relative to due process rights of persons subject to involuntary emergency admissions, relative to the Philbrook center, relative to reports of abuse and neglect, and relative to the commission to study grandfamilies in New Hampshire, and extending the commission to review child abuse fatalities.

HB 463-FN, regulating groundwater pollution caused by polluting emissions in the air and relative to standards for emerging contaminants in drinking water.

HB 468-FN, relative to licensure of mental health practitioners from other states.

HB 469, establishing a continuous quality improvement program for pharmacies, relative to vaccines administered by pharmacists, and relative to the authority of the insurance department on federal health care reform.

HB 517, relative to state fees, funds, revenues, and expenditures.

HB 527, relative to confidentiality of forms and rates and relative to the length of docks on a water body, water body size.

HB 580-FN-A, relative to fantasy sports contests.

HB 652-FN, establishing a veterans track within the court system and relative to annulment of a sentence imposed by a mental health court.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Bradley moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of sending and receiving messages, and processing enrolled bill report and amendments, and forming committees of conference and when we recess, we recess to the Call of the Chair.

Adopted. The Senate is in recess to the Call of the Chair.