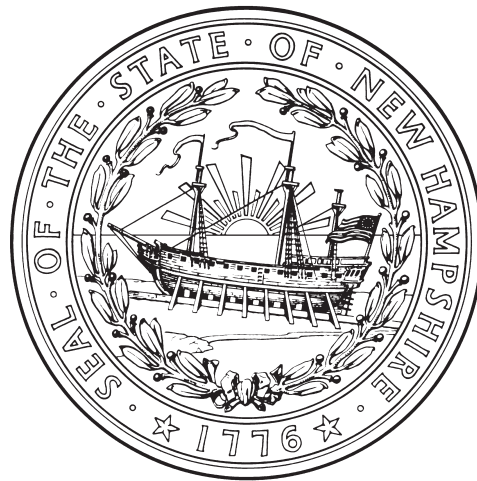


June 22, 2017
Nos. 19-20

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 – JUNE 8, 2017 SESSION
COMMENCEMENT – JUNE 22, 2017 SESSION**

SENATE JOURNAL 19 *(continued)*

June 8, 2017

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 35, relative to the guidelines of the legislative ethics committee.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Packard, Hoelzel, Schuett and Nigrello

SB 43, relative to nonacademic surveys, questionnaires, or evaluations administered by a public school to its students.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Cordelli, Ladd, V. Sullivan and Cornell

SB 44, prohibiting the state from requiring implementation of common core standards and relative to the amendment or approval of academic standards.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Ladd, M. Moffett, Cordelli and Myler

SB 74-FN, relative to economic revitalization zone tax credits.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Major, Abrami, Azarian and Almy

SB 78, relative to confidentiality of state tax records in state administrative or judicial proceedings.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Abrami, Lang, Burns and Walz

SB 89, relative to the relationship between a franchisor and a franchisee and relative to the use of drones.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Hunt, Biggie, Butler and Flanders

SB 121, establishing a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Gould, Renzullo, Rimol and Suzanne Smith

SB 134, relative to electronic tolling at certain tolling facilities and relative to optional anonymous transponders.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Steven Smith, John Graham, Laware, Sykes

SB 155, relative to implementation of the Medicaid managed care program.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Kotowski, Byron, LeBrun and J. MacKay

SB 191-FN, establishing keno and relative to funding for kindergarten.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Ladd, Umberger, V. Sullivan and Heath

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 86, relative to voting on variances.

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

HB 195, establishing a committee to study temporary seasonal docks.

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 389, relative to voters with physical disabilities.

HB 400, (Fifth New Title) 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 414-FN-A, limiting parental liability under a CHINS petition in certain circumstances.

HB 455-FN, relative to the practices of pharmacy benefit managers.

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 552-FN, relative to investigation of voter verification letters.

CONFEREES CHANGES

HB 144, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019.

Conferee Change: Senator Giuda replaced Senator D'Allesandro.

HB 517, relative to state fees, funds, revenues, and expenditures.

Conferee Change: Senator Giuda replaced Senator D'Allesandro.

HB 527, relative to confidentiality of forms and rates and relative to the length of docks on a water body, water body size.

Conferee Change: Senator Bradley replaced Senator Soucy.

HB 580-FN-A, relative to fantasy sports contests.

Conferee Change: Senator Morse replaced Senator Sanborn.

SB 43, relative to nonacademic surveys, questionnaires, or evaluations administered by a public school to its students.

Conferee Change: Senator Bradley replaced Senator Watters.

SB 191-FN, establishing keno and relative to funding for kindergarten.

Conferee Change: Senator Morse replaced Senator Watters.

June 9, 2017

2017-2208-EBA

06/03

Enrolled Bill Amendment to HB 332

The Committee on Enrolled Bills to which was referred HB 332

AN ACT relative to dedicated funds with no activity in the financial system for at least the most recent fiscal year.

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 332

This enrolled bill amendment deletes an obsolete reference.

Enrolled Bill Amendment to HB 332

Amend section 3 of the bill by deleting paragraph IV.

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

June 14, 2017
2017-2355-EBA
04/01

Enrolled Bill Amendment to HB 334

The Committee on Enrolled Bills to which was referred HB 334

AN ACT relative to exemptions from licensure by the board of medical imaging and radiation therapy.

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 334

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to HB 334

Amend RSA 328-J:25, I as inserted by section 1 of the bill by replacing line 2 with the following:
within his or her scope of practice, education, training, and competence.

Amend RSA 328-J:25, II as inserted by section 1 of the bill by replacing line 2 with the following:

performing dental imaging procedures within his or her scope of practice, education, training, and

Amend RSA 328-J:25, III as inserted by section 1 of the bill by replacing line 2 with the following:

Hampshire performing dental imaging procedures within his or her scope of practice, education,

Amend RSA 328-J:25, VI as inserted by section 1 of the bill by replacing line 2 with the following:

sonography procedure within his or her scope of practice, education, training, and competence, that is

Amend RSA 328-J:25, VIII as inserted by section 1 of the bill by replacing line 2 with the following:

procedure using ultrasound for a non-imaging purpose that is within his or her scope of practice,

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

June 12, 2017
2017-2254-EBA
06/04

Enrolled Bill Amendment to HB 400

The Committee on Enrolled Bills to which was referred HB 400

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, and extending the commission to review child abuse fatalities.

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 400

This bill makes a technical correction and corrects the title of the bill.

Enrolled Bill 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, relative to the commission to study grandfamilies in New Hampshire, and extending the commission to review child abuse fatalities.

Amend section 14 of the bill by replacing line 1 with the following:

14 Commission to Review Child Abuse Fatalities; Repeal Date Extended. Amend 2015, 127:6, II

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

June 6, 2017
2017-2156-EBA
03/05

Enrolled Bill Amendment to HB 474-FN

The Committee on Enrolled Bills to which was referred HB 474-FN

AN ACT regulating the use of a cell site simulator device.

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 474-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 474-FN

Amend RSA 570-A:2-a, I(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) Affecting the hardware or software operations or functions of a communications device.

Amend RSA 570-A:2-a, I(b)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) A telecommunications company, or its customers or vendors, solely to the extent

Amend RSA 570-A:2-a, IV as inserted by section 1 of the bill by replacing line 1 with the following:

IV. Any person who violates any provision of this section shall be guilty of a class A

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

June 9, 2017
2017-2209-EBA
06/10

Enrolled Bill Amendment to HB 484

The Committee on Enrolled Bills to which was referred HB 484

AN ACT establishing a commission on the seacoast cancer cluster investigation.

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 484

This enrolled bill amendment establishes a contingency to resolve a conflict with HB 511.

Enrolled Bill Amendment to HB 484

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Contingent Renumbering. If HB 511 of the 2017 legislative session becomes law, then RSA 126-A:73 as inserted by section 2 and repealed by 3 of this act shall be renumbered as RSA 126-A:74.

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

June 15, 2017
2017-2375-EBA
06/03

Enrolled Bill Amendment to SB 8-FN

The Committee on Enrolled Bills to which was referred SB 8-FN

AN ACT relative to school attendance in towns with no public schools.

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 8-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 8-FN

Amend RSA 193:3, VII as inserted by section 3 of the bill by replacing line 5 with the following:

provisions of RSA 193-E:3-b, I(a) and (b), and shall qualify as a school approved to provide the

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

June 15, 2017
2017-2373-EBA
06/03

Enrolled Bill Amendment to SB 30-FN

The Committee on Enrolled Bills to which was referred SB 30-FN

AN ACT defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.

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 30-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 30-FN

Amend section 5 of the bill by replacing line 1 with the following:

5 Minimum Shoreland Protection Standards. Amend the introductory paragraph of RSA 483-B:9, V(a)(2) (D) to read as

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

June 14, 2017
2017-2360-EBA
06/04

Enrolled Bill Amendment to SB 59

The Committee on Enrolled Bills to which was referred SB 59

AN ACT relative to blood testing orders.

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 59

This enrolled bill amendment corrects a statutory reference and makes grammatical corrections.

Enrolled Bill Amendment to SB 59

Amend RSA 141-G:10, I(b) as inserted by section 1 of the bill by replacing lines 2-4 with the following:

paramedic or other emergency medical care provider, police officer, probation officer, peace officer, person who gives aid at the scene of an emergency or to the victim of crime under RSA 508:12, or healthcare provider; or

Amend the introductory paragraph of RSA 141-G:14, III as inserted by section 1 of the bill by replacing line 3 with the following:

141-G:11, V, shall disclose information described in paragraph I, unless the court first examines

Amend RSA 141-G:14, III(b) by replacing it with the following:

(b) The relevance of the information to the proceeding; and

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

June 9, 2017

2017-2207-EBA

04/03

Enrolled Bill Amendment to SB 86

The Committee on Enrolled Bills to which was referred SB 86

AN ACT relative to the regulation of banks, trusts, and credit unions by the banking department.

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 86

This enrolled bill amendment incorporates a change to RSA 383-E:9-901(c) previously enacted in 2017, 7 (SB 246-FN), corrects cross-references in RSA 383-A:6-606, and makes additional technical corrections to the bill.

Enrolled Bill Amendment to SB 86

Amend RSA 383-E:9-901(c) as inserted by section 15 of the bill by replacing it with the following:

(c) A foreign credit union may establish or acquire a branch office in this state. The foreign credit union shall submit ~~[a notice or]~~ **an** application to establish or acquire a branch **office** to the commissioner under RSA 383-A:6-602. ~~[and may proceed to do so if permitted by the commissioner.]~~ ***The foreign credit union may proceed to establish or acquire the branch office if it is permitted to do so by the commissioner under RSA 383-A:6-604.***

Amend RSA 383-A:6-601 as inserted by section 17 of the bill by replacing line 2 with the following:

engage in an act or transaction under the Banking ~~[Act]~~ **Acts** or Credit Union Act that requires the prior

Amend section 17 of the bill by replacing line 9 with the following:

383-A:6-602 Filing Procedure.

Amend RSA 383-A:6-606 as inserted by section 20 of the bill by replacing line 3 with the following:

determination by the commissioner under ~~[RSA 383-A:6-604(a),]~~ RSA 383-A:6-604(b) **or RSA 383-A:6-604(c)**, ~~[or RSA]~~

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

June 13, 2017

2017-2348-EBA

04/10

Enrolled Bill Amendment to SB 127

The Committee on Enrolled Bills to which was referred SB 127

AN ACT relative to dissolved oxygen water quality standards.

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 127

This enrolled bill amendment corrects references in the bill and makes a technical correction.

Enrolled Bill Amendment to SB 127

Amend RSA 485-A:8, II as inserted by section 2 of the bill by replacing line 14 with the following:

quality standards in a manner consistent with Environmental Protection Agency guidance on dissolved oxygen water

Amend RSA 485-A:8, II-a as inserted by section 2 of the bill by replacing line 3 with the following:

Environmental Protection Agency guidance on dissolved oxygen water criteria published pursuant to section 304(a) of

Amend section 3 of the bill by replacing line 2 with the following:

Amend RSA 485-A:6 by inserting after paragraph XIII the following new paragraphs:

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

June 15, 2017
2017-2374-EBA
08/03

Enrolled Bill Amendment to SB 129

The Committee on Enrolled Bills to which was referred SB 129

AN ACT requiring a portion of the renewable energy fund to benefit low to moderate income residential customers, relative to electric renewable energy classes, relative to the class rate for biomass, and relative to requirements for incentive payments from the renewable energy fund.

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 129

This enrolled bill amendment makes technical changes.

Enrolled Bill Amendment to SB 129

Amend RSA 362-F:2, X-a as inserted by section 4 of the bill by replacing line 3 with the following:

a majority of the residential end-user customers are at or below 300 percent of the federal poverty

Amend RSA 362-A:9, XIV(c) as inserted by section 7 of the bill by replacing line 8 with the following:

December 31, 2019 with such projects available on a first-come, first-served basis. The

Amend RSA 362-F:15, I as inserted by section 11 of the bill by replacing line 3 with the following:

January 1, 2017, shall not apply to the megawatt-hours delivered during the contract term under

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

June 13, 2017
2017-2312-EBA
06/05

Enrolled Bill Amendment to SB 131-FN-A

The Committee on Enrolled Bills to which was referred SB 131-FN-A

AN ACT establishing a cross border drug interdiction program and making an appropriation therefor.

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 131-FN-A

This enrolled bill amendment makes grammatical changes.

Enrolled Bill Amendment to SB 131-FN-A

Amend RSA 21-P:68, I as inserted by section 2 of the bill by replacing line 3 with the following:
interdiction work targeted at, but not limited to, stemming the flow of illegal drugs into the state of
Amend paragraph I of section 3 of the bill by replacing line 2 with the following:
the department of safety for the purpose of hiring 5 additional state troopers who shall be assigned
Amend paragraph II(a) of section 3 of the bill by replacing line 1 with the following:

(a) \$352,300 shall be expended for the purpose of funding overtime for the state police

Amend paragraph II(b) of section 3 of the bill by replacing line 1 with the following:

(b) \$171,600 shall be expended for the purpose of funding overtime at the state forensic

Amend paragraph III of section 3 of the bill by replacing line 5 with the following:

21-P:66. This sum shall be expended in the biennium ending June 30, 2019, with no more than
Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

June 5, 2017
2017-2154-EBA
08/03

Enrolled Bill Amendment to SB 185

The Committee on Enrolled Bills to which was referred SB 185

AN ACT extending the community revitalization tax relief program to coastal properties subject to storm surge, sea level rise, and extreme precipitation.

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 185

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 185

Amend RSA 79-E:4-a, II as inserted by section 3 of the bill by replacing line 5 with the following:
other structures to enable increased water flow and storm-surge, and movement of property to higher
Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

June 8, 2017
2017-2215-EBA
06/04

Enrolled Bill Amendment to SB 206-FN

The Committee on Enrolled Bills to which was referred SB 206-FN

AN ACT relative to wagering on simulcast racing.

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 206-FN

This enrolled bill amendment corrects a reference to conform to the contents of the bill.

Enrolled Bill Amendment to SB 206-FN

Amend RSA 284:23, I(c) as inserted by section 2 of the bill by replacing line 7 with the following:

If there is no live race meet within the ~~[36-month]~~ **48-month** period all sums so escrowed shall be for the use of

Amend RSA 284:23, II(c) as inserted by section 3 of the bill by replacing line 7 with the following:

If there is no live race meet within the ~~[36-month]~~ **48-month** period all sums so escrowed shall be for the use of

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

June 16, 2017

2017-2377-EBA

06/03

Enrolled Bill Amendment to SB 212-FN

The Committee on Enrolled Bills to which was referred SB 212-FN

AN ACT establishing the physical therapy licensure compact.

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 212-FN

This enrolled bill amendment makes grammatical and technical corrections.

Enrolled Bill Amendment to SB 212-FN

Amend RSA 328-A:5-a, IV(a)(5) as inserted by section 2 of the bill by replacing line 2 with the following:

remote state;

Amend RSA 328-A:5-a, VII(c)(10) as inserted by section 2 of the bill by replacing line 2 with the following:

supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all

Amend RSA 328-A:5-a, VII(c)(11) as inserted by section 2 of the bill by replacing line 2 with the following:

hold, improve, or use, any property, real, personal, or mixed; provided that at all times the

Amend the introductory paragraph of RSA 328-A:5-a, VII(d)(1) by replacing it with the following:

(1) The executive board shall be comprised of 9 members:

Amend RSA 328-A:5-a, VII(e)(2)(B) as inserted by section 2 of the bill by replacing line 1 with the following:

(B) The employment, compensation, discipline, or other matters, practices, or

Amend RSA 328-A:5-a, VII(g)(1) as inserted by section 2 of the bill by replacing line 4 with the following:

arising out of any actual or alleged act, error, or omission that occurred, or that the person against

Amend RSA 328-A:5-a, VII(g)(1) as inserted by section 2 of the bill by replacing line 6 with the following:

commission employment, duties, or responsibilities; provided that nothing in this paragraph shall be

Amend RSA 328-A:5-a, VII(g)(2) as inserted by section 2 of the bill by replacing line 1 with the following:

(2) The commission shall defend any member, officer, executive director, employee,

Amend RSA 328-A:5-a, VII(g)(3) as inserted by section 2 of the bill by replacing line 3 with the following:

or judgment obtained against that person arising out of any actual or alleged act, error, or omission

Amend RSA 328-A:5-a, X(a)(2) as inserted by section 2 of the bill by replacing line 3 with the following:

which may affect the powers, responsibilities, or actions of the commission.

Amend RSA 328-A:5-a, X(b)(1)(A) as inserted by section 2 of the bill by replacing line 2 with the following:

nature of the default, the proposed means of curing the default, and/or any other action to be taken

Amend RSA 328-A:5-a, X(b)(2) as inserted by section 2 of the bill by replacing line 3 with the following:
rights, privileges, and benefits conferred by this compact may be terminated on the effective date of
Amend RSA 328-A:5-a, X(b)(6) as inserted by section 2 of the bill by replacing line 2 with the following:
United States District Court for the District of Columbia or the federal district where the commission has its
Amend RSA 328-A:5-a, XII as inserted by section 2 of the bill by replacing lines 3-4 with the following:
clause, sentence, or provision of this compact is declared to be contrary to the constitution of any
party state or of the United States or the applicability thereof to any government, agency, person, or
Amend RSA 328-A:5-a, XII as inserted by section 2 of the bill by replacing line 6 with the following:
thereof to any government, agency, person, or circumstance shall not be affected thereby. If this
Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

June 15, 2017
2017-2359-EBA
08/05

Enrolled Bill Amendment to SB 248

The Committee on Enrolled Bills to which was referred SB 248

AN ACT establishing a committee to study the rescheduling of elections and relative to absentee voter signatures.

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 248

This enrolled bill amendment includes changes to RSA 657:4, I made by 2017, 49:1 (SB 108).

Enrolled Bill Amendment to SB 248

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

6 Absentee Voting; Forms. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States),

Religious Observance, and Disability:

I hereby declare that (check one):

☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

☐ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

☐ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

☐ I cannot appear in public on election day because of observance of a religious commitment.

☐ I am unable to vote in person due to a disability.

☐ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment" shall include the care of children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

☐ Presidential Primary to be held on _____
(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

☐ State Primary to be held on _____
(MM/DD/YYYY)

☐ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

☐ Republican Party

☐ Democratic Party

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Phone Number (optional): _____

Applicant's Email Address (optional): _____

Applicant's Signature: _____

~~[The applicant must sign this form to receive an absentee ballot.]~~

Date Signed: _____
(MM/DD/YYYY)

The applicant must sign this form to receive an absentee ballot. The signature on this form must match the signature on the affidavit envelope in which the absentee ballot is returned, or the ballot may be rejected. Any person who assists a voter with a disability in executing this form shall make a statement acknowledging the assistance on the application form to assist the moderator when comparing signatures on election day.

Amend the bill by replacing section 10 with the following:

10 Effective Date.

I. Section 6 of this act shall take effect July 11, 2017, at 12:01 a.m.

II. The remainder of this act shall take effect upon its passage.

Senator Avard 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:

HB 238, establishing a committee to study broadband access to the Internet.

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 316, relative to a statewide property tax exemption for commercial and industrial construction.

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 488, establishing a state parks advisory council.

HB 536, directing the wellness and primary prevention council to establish a system of family resource centers of quality.

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

SB 110, declaring the painted turtle to be the reptile of the biennium.

SB 142, relative to honoring E. Maude Ferguson, the first woman elected to the New Hampshire senate.

SB 235-FN, relative to Medicaid reimbursement to schools for students with medical needs.

Senator Avard 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 85, relative to installation requirements for arc-fault circuit interrupters.

HB 160, relative to use of cannabis for therapeutic purposes.

HB 186, relative to limitation of actions in which the state is a plaintiff.

HB 190, relative to the wildlife habitat account and the fisheries habitat account.

HB 208, establishing a commission to study current mental health procedures for involuntary commitment.

HB 246, relative to timber trespass.

HB 356-FN, establishing a committee to study education funding and the cost of an opportunity for an adequate education, establishing a committee to study the organizational structure of the department of education and the duties and responsibilities of the commissioner of the department of education, and relative to the duties of the commissioner of the department of education.

HB 460, relative to minutes under the right-to-know law.

HB 511, establishing a commission to study environmentally-triggered chronic illness.

HB 568-FN, relative to the taxability of lease interests in public property.

HB 652-FN, establishing a veterans track within the court system and relative to annulment of a sentence imposed by a mental health court.

SB 18, relative to reinstatement of foreign corporations and foreign limited liability partnerships.

SB 24, relative to examinations by the insurance commissioner.

SB 42, eliminating the hearing requirement for late reinstatement of corporations.

SB 54, relative to the licensure of alcohol and drug counselors, requiring occupational regulatory boards and commissions to post reciprocity information, and establishing a committee to study licensure of alcohol and drug counselors.

SB 81, relative to licensing of mortgage loan originators from another state.

SB 85, amending the Uniform Securities Act.

SB 96-FN, relative to the compensation of the boxing and wrestling commission.

SB 133-FN, relative to security screening at state correctional facilities.

SB 158, relative to authorization for clinician-prescribed substance use disorder services.

SB 181, relative to the regulation of biodiesel.

SB 187, clarifying the application of the road toll.

SB 230-FN, establishing the Uniform Power of Attorney Act.

Senator Avard 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 195, establishing a committee to study temporary seasonal docks.

HB 400, (Fifth New Title) 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.

Senator Avard 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 20

June 22, 2017

The Senate reconvened at 10:00 a.m., a quorum being present.

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

Let us pray.

Now that summer is here and the days are longer and the weather hotter, our thoughts turn to relaxing and vacations. We think of days by the lake and the mountains and around the grill. We ask for strength to finish our work with the same vigor we started with. Help us to run this race with endurance. We pray for wisdom, compassion and courage so that we may complete the task we are called to do; serve the people of the great state of New Hampshire. Help us to be good stewards of the resources borne of the labor of our fellow citizens so that we can create a state and community of people who have every chance to rise above their station; that with hard work, ingenuity and a little bit of luck, all of us might thrive. Thanks for this day and the tasks that lie ahead. In them may we see opportunities to do good for others and serve a higher purpose. Amen.

Senator Giuda led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Reagan introduced Herrick and Maddox Hauschel, home schooled, serving as Senate Pages for the day.

INTRODUCTION OF GUESTS

Senator Reagan introduced Jeannette Hauschell and Ackson Hauschell, grandmother and mother respectively, to Herrick and Maddox, visiting in the gallery.

Senator Woodburn introduced his daughter, Molly Woodburn, visiting in the gallery.

AMENDMENT TO SENATE RULE 7-1

Senator Bradley moved to amend Senate Rule 7-1, with the amendment provided in the Senate Calendar.

PROPOSED AMENDMENT TO SENATE RULE 7-1

Amend Senate Rule 7-1 by inserting after (k) with the following:

(l) Thursday, October 12, 2017 – First day to file legislation for 2018 Senate Session.

(m) Thursday, November 02, 2017 – Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2018 Session.

(n) Thursday, November 30, 2017 – Deadline for prime sponsors to sign off on legislation.

- (o) Thursday, December 07, 2017 – Deadline for co-sponsors to sign off on legislation.
- (p) Thursday, December 14, 2017 – Deadline to REPORT rereferred bills out of committee.
- (q) Wednesday, January 03, 2018 – Convening Day.
- (r) Monday, February 26, 2018 – Friday, March 02, 2018: SENATE BREAK.
- (s) Thursday, March 08, 2018 – Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
- (t) Thursday, March 22, 2018 – CROSSOVER – Deadline to ACT on all Senate bills.
- (u) Thursday, April, 19, 2018 – Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
- (v) Thursday, May 3, 2018 – Deadline to ACT on all House bills.
- (w) Thursday, May 10, 2018 – Deadline to FORM Committees of Conference.
- (x) Thursday, May 17, 2018 – Deadline to SIGN Committee of Conference Reports.
- (y) Thursday, May 24, 2018 – Deadline to ACT on Committee of Conference Reports.

Adopted by the necessary 2/3 vote.

COMMITTEE OF CONFERENCE REPORTS

Without objection, the clerk shall read the first recommendation and thereafter only the title of each bill shall be read.

COMMITTEE OF CONFERENCE REPORTS

June 14, 2017
2017-2345-CofC
05/04

Committee of Conference Report on HB 144, relative to procedures for adoption of the budget for Rockingham County.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 1.07 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				

Department of State					
01-32-32-3215-1065	11362	18096	43452	43456	11364
	40043	43460			
Department of Safety					
02-023-023-231015-7546	9U073				
New Hampshire Lottery Commission					
06-083-083-830013-2028	9U159	9U163			

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

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 Reductions and Budget Adjustments; Department of Information Technology. For the fiscal year ending June 30, 2019, the commissioner of administrative services, in consultation with the commissioner of the department of information technology, shall eliminate appropriations to class 027 Transfers to OIT in all agencies and departments, and budget the source of funds for those transfers under the proper accounting unit within the department of information technology. The commissioner of administrative services shall notify the fiscal committee of the general court and the governor and council when such reductions and budget adjustments are complete.

8 Estimates of Unrestricted Revenue.

GENERAL FUND	FY 2018	FY 2019
BUSINESS PROFITS TAX	\$329,700,000	\$334,700,000
BUSINESS ENTERPRISE TAX	82,100,000	83,300,000
SUBTOTAL BUSINESS TAXES	\$411,800,000	\$418,000,000
MEALS AND ROOMS TAX	319,800,000	335,800,000
TOBACCO TAX	120,400,000	120,100,000
TRANSFER FROM LIQUOR	146,900,000	148,700,000
INTEREST AND DIVIDENDS TAX	96,000,000	98,000,000
INSURANCE 113,600,000	117,500,000	
COMMUNICATIONS TAX	44,000,000	40,700,000
REAL ESTATE TRANSFER TAX	105,300,000	111,700,000
COURT FINES & FEES	13,200,000	13,200,000
SECURITIES REVENUE	45,700,000	46,500,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BEER TAX 13,200,000	13,200,000	
OTHER REVENUES	75,000,000	75,000,000
MEDICAID RECOVERIES	9,100,000	9,100,000
TOTAL GENERAL FUND	\$1,520,000,000	\$1,553,500,000
EDUCATION FUND	FY 2018	FY 2019
BUSINESS PROFITS TAX	\$67,500,000	\$68,500,000
BUSINESS ENTERPRISE TAX	182,700,000	185,500,000
SUBTOTAL BUSINESS TAXES	\$250,200,000	\$254,000,000
MEALS AND ROOMS TAX	9,900,000	10,400,000
TOBACCO TAX	94,600,000	94,400,000
REAL ESTATE TRANSFER TAX	49,600,000	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	42,900,000	43,400,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
TOTAL EDUCATION FUND	\$923,300,000	\$930,800,000
HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>
GASOLINE ROAD TOLL	\$126,300,000	\$126,300,000
MOTOR VEHICLE FEES	114,600,000	115,700,000
MISCELLANEOUS	<u>200,000</u>	<u>200,000</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

9 Contingency. If HB 517 of the 2017 regular legislative session does not become law, then this bill shall not take effect.

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

The signatures below attest to the authenticity of this Report on HB 144, relative to procedures for adoption of the budget for Rockingham County.

Conferees on the Part of the Senate
Sen. Daniels, Dist. 11
Sen. Reagan, Dist. 17
Sen. Morse, Dist. 22
Sen. Giuda, Dist. 2

Conferees on the Part of the House
Rep. Kurk, Hills. 2
Rep. Jasper, Hills. 37
Rep. Hinch, Hills. 21
Rep. L. Ober, Hills. 37
Rep. Umberger, Carr. 2
Rep. Weyler, Rock. 13

The question is on the adoption of the Committee of Conference Report.

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

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.

June 14, 2017
2017-2358-CofC
03/04

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

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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 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.

13 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.

14 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.

15 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~~].

conomic 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.**

16 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].

17 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.

18 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]~~.

19 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.

20 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.

21 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.

22 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**.

23 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]~~.

24 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.

25 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~~].

26 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.

27 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.

28 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.

29 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.

30 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.

31 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.

32 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.

33 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.

34 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.

35 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.

36 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.

37 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.

38 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).

39 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.

40 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 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 after consultation with division directors concerned and the council of partner agencies established in RSA 12-O:7, 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 for a term of 4 years from the date of appointment. It shall be the responsibility of the commissioner to organize and direct the work of the department. 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.

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. 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.

VIII. 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 prior approval of the fiscal committee of general court and 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.

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.

Review of Economic Development Programs

12-O:40 Review of Reports Required. The department of business and economic affairs, in consultation with the legislative budget assistant, shall periodically review reports issued under RSA 162-A:23-a at least once every 5 years and make recommendations to be utilized 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:41 Limitation. The review under RSA 12-O:40 shall not apply to state loans or state loan guarantees of less than \$250,000, or to state grants of less than \$50,000.

New Hampshire Workforce Development

12-O:42 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:44. 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:43 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:44 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:45 New Hampshire Workforce Opportunity Fund.

I. There is hereby established the New Hampshire workforce opportunity fund which shall be nonlapsing 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:44 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 Opportunity 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.

41 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.

42 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.]~~

43 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.

44 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.

45 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.

46 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.

47 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 |

48 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.

49 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.

50 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**.

51 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**.

52 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**.

53 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**.

54 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**.

55 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:45**.

56 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**.

57 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**.

58 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**.

59 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**;

60 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.

61 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

62 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**

63 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 and the division of planning.***

II. The office of ~~[energy and planning]~~ ***strategic initiatives*** shall:

64 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.

65 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.

66 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.

67 New Subdivision; Public School Infrastructure Fund; Public School Infrastructure Commission. Amend RSA 198 by inserting after section 15-x the following new subdivision:

Public School Infrastructure Fund and Public School Infrastructure Commission

198:15-y Public School Infrastructure Fund.

I. 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.

II. There is hereby established in the office of the state treasurer the public school infrastructure fund which shall be kept distinct and separate from all other funds and which shall be administered by the department of education. 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 fund. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be continually appropriated for the biennium ending June 30, 2019 and any unexpended or unencumbered balance as of June 30, 2019 shall be transferred to the general fund.

III. The governor, in consultation with the public school infrastructure commission, may authorize fund expenditures with approval of the fiscal committee of the general court and the executive council. Funds may be expended for the following purposes:

(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.

(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.

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

(d) 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.

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

198:15-z Public School Infrastructure Commission Established.

I. There is hereby established the public school infrastructure commission, which shall advise the governor on proposals for expenditures from the public school infrastructure fund established in RSA 198:15-y. 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) The chairperson of the New Hampshire school building authority, or designee.

(f) The chairperson of the state board of education, or designee.

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 a report on or before November 1, 2018 to the general court with information on fund expenditures for the year, projects begun or completed during the previous year, the balance in the public school infrastructure fund, and any other information the commission deems appropriate.

V. The commission shall review the work and projects funded by the public school infrastructure fund during the previous year.

68 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 law***, 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.

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

(334) Moneys deposited in the public school infrastructure fund established in RSA 198:15-y.

70 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 July 1, 2018 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.

71 Department of Education; Appropriation. There is hereby appropriated to the department of education the sum of \$2,250,000 for the fiscal year ending June 30, 2017, which shall be nonlapsing, for the purpose of making school building aid payments for projects approved for the fiscal year ending June 30, 2018. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

72 Repeal. The following are repealed:

I. RSA 6:12, I(b)(334), relative to the public school infrastructure fund.

II. RSA 198:15-y, relative to the public school infrastructure fund.

III. RSA 198:15-z, relative to the public school infrastructure commission.

73 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.

74 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.

75 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.

76 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.

77 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.

78 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 biennium ending June 30, 2019.

79 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.

80 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.

81 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.

82 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.

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. A plan shall be presented to the fiscal committee of the general court that specifies how said funds shall be expended and shall include associated performance metrics. No money appropriated under this section shall be expended or otherwise distributed until the plan is approved by the fiscal committee of the general court. 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 New Section; Agreements to Lease-Purchase Vehicles Authorized. Amend RSA 21-I by inserting after section 19-i the following new section:

21-I:19-j Agreements to Lease-Purchase Vehicles Authorized. Any agency, as defined in RSA 21-G:5, III, 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 chartered public 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 chartered public 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 01-03-03-030010-7677 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]~~ **nonlapsing**. 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. "Postsecondary educational institution 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, any private postsecondary institution approved to operate in this state, or any postsecondary training or certificate program within this state that is approved by the office, and is a not-for-profit institution that is eligible to receive federal Title IV funds.

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 which a recipient shall apply to the costs of an education at a postsecondary educational institution or training program. The office shall determine any additional criteria regarding 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.

4-C:33 Eligibility.

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

(a) 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, have completed at least 3 years of high school in this state, be pursuing a certificate, associate, or bachelor degree at a public or private postsecondary educational institution in this state, and be eligible to receive a Pell grant; or

(b) 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

(c) 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

(d) 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.

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

III. 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 a postsecondary educational institution 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.

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.

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

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

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

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

109 Appropriation; Governor's Scholarship Fund. The sum of \$5,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's scholarship fund established under RSA 4-C:34 for the purposes set forth in that section for use in the fiscal year ending June 30, 2018. Said funds shall not lapse, and the governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

110 New Subdivision; Dual and Concurrent Enrollment Program. Amend RSA 188-E by inserting after section 24 the following new subdivision:

Dual and Concurrent Enrollment Program

188-E:25 Definitions. In this subdivision:

I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.

II. "Dual enrollment" means college courses taught by instructors from the community college system of New Hampshire (CCSNH) in which high school students earn college credit while students are still enrolled in high school or a career technical education center.

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades 11 and 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education and to meet New Hampshire's emerging workforce needs.

188-E:27 Enrollment Requirements.

I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH as part of the dual and concurrent enrollment program.

II. A student in the program shall be provided funding for enrollment in no more than 2 dual or concurrent enrollment courses taken in grade 11 and no more than 2 dual or concurrent enrollment courses taken in grade 12. A student may take more than 2 dual or concurrent enrollment courses per year at his or her own expense.

III. The state shall pay up to \$250 to the CCSNH institution where a high school or career and technical education student successfully completes an approved course and the CCSNH shall accept such amount as full payment for course tuition.

IV. Each high school should provide a designated individual to serve as the point of contact on matters related to the program, including but not limited to, student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. Each high school shall annually notify all high school students and their parents of dual and concurrent enrollment opportunities.

188-E:28 School Board Policy.

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH and that meet the same standard of quality and rigor as courses offered on campus by the CCSNH. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

II. The department of education and the CCSNH shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall include standards established by the CCSNH, shall include elements, standards, and criteria that have been approved by the department of education and CCSNH, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to concurrent and dual enrollment of high school students in college classes. The department shall further develop guidelines for the program relating to reporting, accountability, and payment of available funds to the CCSNH.

188-E:29 Budget Requests. The commissioner of the department of education shall submit expenditure requests in accordance with RSA 9:4 to fund the dual and concurrent enrollment program established in this subdivision.

111 Appropriation. The sum of \$850,000 for the fiscal year ending June 30, 2018 and the sum of \$950,000 for the fiscal year ending June 30, 2019 are hereby appropriated from the governor's scholarship fund established in RSA 4-C:34 to the department of education to fund student participation in the dual and concurrent enrollment program established in RSA 188-E:25-29.

112 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.

113 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.

114 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.

115 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.

116 Repeal. RSA 21-J:6-c, central tax services unit within the department of revenue administration, is repealed.

117 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].~~

118 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.

119 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.

120 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.

121 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.**

122 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.

123 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.**

124 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.

125 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.

126 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.

127 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.

128 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.

129 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.

130 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.**

131 Governor's Commission on Disability; Newslines for the Blind; Funding. Amend RSA 275-C:8-a to read as follows:

275-C:8-a Newslines 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 "Newslines 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.

132 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.

133 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.

134 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 nonlapsing 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.

135 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 appropriated to the department of administrative services for the biennium ending June 30, 2019 and the fiscal year ending 2020 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.

136 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.

137 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.

138 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.

139 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.***

140 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]~~ **biennium** 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.

141 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.***

142 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.

143 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.

144 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium 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.

145 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 coordinated 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.

146 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.

147 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.

148 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.

149 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.

150 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 not lapse.***

151 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. If the lottery commission so chooses, the commission is hereby authorized to secure a commercial loan for the purchase of land in order to build buildings, and to secure a contract to build suitable buildings to serve as the lottery commission's headquarters. If the lottery commission is unable to secure a commercial loan, the commission shall apply for funds through the capital budget process in the next biennium.

152 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.

153 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.]~~

154 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.**

155 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.

156 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 public 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 school or 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 schools and 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.

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.

157 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.]~~

158 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).

159 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.

160 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.

161 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.***

162 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.

163 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.

164 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.

165 Alternative Placement Capacity for Youth; Reporting Requirement.

I. In furtherance of the duty of the department of health and human services under RSA 170-G:4 to provide 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 for 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 no fewer than 35 minors. The increase in capacity for 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 of the general court for approval prior to December 1, 2017. If necessary, the plan shall provide for a process for re-establishing cost-based rate-setting rules and procedures which may have expired.

II. Unless prior approval of the fiscal committee of the general court is provided, no later than November 1, 2017, the plan required by this section shall be updated to include the following elements:

(a) Dissemination of information to judicial branch employees.

(b) Training and education of and dissemination of information to:

(1) Juvenile probation and parole officers and related law enforcement.

(2) Sununu youth services center and other division for children youth and families staff.

(c) Programming changes at the Sununu youth services center to facilitate the successful release of youth other than serious violent offenders according to the timetables in RSA 621:19, I-a, as amended by this act.

(d) Programming changes and enhancements to provider services necessary for the successful housing and treatment of youth other than serious violent offenders.

(e) Changes necessary for the successful diversion from secure detention of children other than serious violent offenders, including the development of additional alternatives to detention, modifications to detention screening instruments, and changes to programming at the Sununu youth services center and other facilities.

III. No later than November 1, 2017, the department shall establish an advisory group to assist with the implementation of the juvenile justice reform provisions of this act. The group shall consist, at a minimum, of department staff, providers of residential and other services, and juvenile justice reform advocates. The group shall meet no less than once per month, receive reports from the department, and advise and work with the department during the implementation process. The reports provided to the advisory group shall also be provided to the fiscal committee of the general court and include the following:

(a) The number, offense characteristics, and treatment needs of children at the Sununu youth services center in both detained and committed status.

(b) The number and results of proceedings before the juvenile parole board, separated by offense type and whether they are parole release hearings, parole revocation hearings, or reconsideration hearings as required by RSA 621:19, I-a, as amended by this act.

(c) The availability of services for the treatment of children not held at the Sununu youth services center and subject to proceedings under RSA 169-B, including:

(1) The number of residential treatment beds certified for placement, by category, as well as whether they are filled or available for placement of children.

(2) The number and category of children placed in facilities in other states.

(3) The number of residential treatment beds certified under RSA 169-B:19, VI, as amended by this act, as well as whether they are filled or available for placement of children.

(4) The availability of non-residential services for the treatment of children subject to proceedings under RSA 169-B, including projections of need and plans to meet that need.

166 Youth Drug Treatment 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 persons under the age of 18, including Medicaid eligible youth under age 18. All contracts, plans, and specifications for the redevelopment required by this section shall be awarded in accordance with the provisions of RSA 21-I. The drug treatment facility shall be operated by a non-governmental entity, and the commissioner shall issue an RFP for the purpose of operating the new inpatient and outpatient drug treatment facility for persons under the age of 18, including Medicaid eligible youth under age 18, located in unused portions of the Sununu youth services center building now used for placement of minors pursuant to RSA 169-B.

167 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 implementing section 166 of this act. This sum shall be a charge against amounts appropriated to accounting unit 05-95-49-491510-2989, governor commission funds, in fiscal year 2017. Funds appropriated in this section and not spent during the fiscal year ending June 30, 2018 shall not lapse to the general fund and shall be deposited in the alcohol abuse prevention and treatment fund established by RSA 176-A:1.

168 Funding for Alcohol and Drug Abuse Treatment Services at the Sununu Youth Services Center; Funding for Operational Costs of the Sununu Youth Services Center.

I. For the biennium ending June 30, 2019, funds determined by the governor to be necessary for services provided at 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, and shall be used exclusively for payment for contracted services.

II. For the biennium ending June 30, 2019, in the event of an emergency funds determined by the governor to be necessary for the operational costs of 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 governor to be necessary for this purpose shall require prior approval of the fiscal committee of the general court.

169 Transfer of Funds for Operation of the Sununu Youth Services Center. In the case of transfers affecting the funding for any of the functions of the Sununu Youth Services Center subject to RSA 621, the prior approval of the fiscal committee of the general court shall be required. Prior to acting on transfer requests to which this section applies, the fiscal committee of the general court shall solicit the advice of the advisory group established in section 165 of this act. The commissioner may only seek a transfer which is subject to the requirements of this section if there has been full compliance with the requirements of section 165 of this act and RSA 169-B:19, VI, as amended by this act.

170 New Paragraph; Delinquent Children; Dispositional Hearing; Alcohol or Drug Treatment Facility Placement. Amend RSA 169-B:19 by inserting after paragraph II-a the following new paragraph:

II-b. No minor may be placed in inpatient treatment at an alcohol or drug treatment facility unless a finding is made that the child requires substance use disorder services pursuant to an evaluation by any licensed health care professional making the decision based on American Society of Addiction Medicine criteria. In addition, no placement at such a facility may be made without the consent of the operator of such facility, and in the case of a serious violent offender as defined in RSA 621:19, IV, unless such consent is made in writing and transmitted to the court.

171 New Paragraph; Children in Need of Services; Dispositional Hearing; Alcohol or Drug Treatment Facility Placement. Amend RSA 169-D:17 by inserting after paragraph II-b the following new paragraph:

II-c. A dispositional order for inpatient treatment at an alcohol or drug treatment facility may only be issued following a finding that the child requires substance use disorder services pursuant to an evaluation by any licensed health care professional making the decision based on American Society of Addiction Medicine criteria.

172 Worker Displacement. To the extent permitted by existing law and collective bargaining agreements, employees affected by the provisions of sections 158-173 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.

173 Applicability.

I. RSA 169-B:19, I(j), as amended by section 161 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 162 of this act, shall apply to cases commenced after July 1, 2016.

III. RSA 621:19, I-a, as amended by section 163 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 164 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.

174 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 158 through 173 of this act.

175 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 165 of this act. These funds may not be transferred or utilized for any other purpose, including to satisfy a lapse requirement or appropriation reduction.

176 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 July 1, 2018.

177 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.

178 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.

179 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.

180 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.

181 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.

182 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.

183 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.

184 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.

185 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.

186 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.

187 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.

188 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.

189 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.

190 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.

191 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.

192 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.

193 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
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Insert:

JJ	Department of health and human services	associate commissioner
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194 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.

195 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 division for children, youth, and families 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) Have access to all case records, all third party records, and all records submitted to the courts, and maintain confidentiality pursuant to RSA 169-C:25 and RSA 170-G:8-a.

(d) Have prompt electronic access to records within the scope of its mission, except for department of justice records that are part of a pending criminal investigation or prosecution, and judicial branch records to the extent that such access does not violate the constitutional separation of powers.

(e) Have the authority 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) Perform educational outreach and advocacy activities in furtherance of the mission and responsibilities of the office.

(i) Investigate and report on issues related to department's child protection services upon the request of the governor, commissioner of health and human services, speaker of the house of representatives, senate president, or oversight commission. A written report of these findings shall be issued in a timely manner.

IV.(a) The department of health and human services shall provide the office with a copy of all incident or other reports related to actual physical injury to children or a significant risk of such harm, as well as other incidents which may affect the safety and well-being of children in the custody or control of the department not later than 48 hours after the occurrence; provided that any child fatality or serious injury shall be immediately communicated to the office by telephone.

(b) The department of health and human services shall provide any records or reports requested by the office, subject to the exclusions in this section.

V. 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. The director shall make the annual report available to the public on a state Internet website.

170-G:18 Oversight Commission on Children's Services Established.

I. There shall be an oversight commission on children's services, 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) Two members of child advocacy organizations, appointed by the senate president.

(g) Two members of child advocacy organizations, appointed by the speaker of the house of representatives.

II. Legislative members of the commission shall serve a term coterminous with their term in office. Members appointed under subparagraphs (c)-(g) 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 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 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. Nine members of the commission shall constitute a quorum.

V. On or before 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. The commission shall make all reports available to the public on a state Internet website.

196 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.

197 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.

198 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

199 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.

200 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.

201 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.***

202 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.

203 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a to read as follows:

9:16-a Transfers Authorized.

I. 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 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 **and the department of transportation**, which is not composed of the same funding source mix.

II. *Notwithstanding any other provision of law except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and the governor and council, the commissioner of the department of administrative services is hereby authorized to transfer funds within and among all accounting units and/or class codes within the department, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner 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 department; provided that 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.*

III. *The \$75,000 threshold under paragraphs I-II 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.*

IV. *Notwithstanding any other provision of law, the governor is hereby authorized to transfer funds within and among all accounting units within the governor's office, 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, 9:17-b, or 9:17-c or in violation of any restrictions otherwise provided by law or to or from any account. 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 shall be required for subsequent transfers within the fiscal year.*

204 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.~~

~~II. 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.]~~ **II.** The provisions of this section shall apply to transfers in general appropriations, capital budget appropriations and in any other special appropriations.

III. *The department of health and human services may be exempt from the limitations set forth in paragraph I, subject to approval by the fiscal committee of the general court of any transfer of appropriations from permanent personal services to any other use or purpose.*

205 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.

206 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.

207 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).

208 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.]~~ relative to:

(a) Defining and administering a competitive grant program for drinking water protection projects, including application requirements, criteria for selection, approval process, and matching fund requirements.

(b) Administering the revolving loan fund, including application requirements, provisions for cost-sharing, criteria for selection, approval process, and funding qualifications.

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.]~~

~~[(+)]~~(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 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.

209 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.

210 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.

211 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.

212 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.

213 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.

214 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.

215 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.

216 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.

217 Applicability.

I. Sections 213 and 214 of this act shall apply to taxable periods ending on or after December 31, 2019.

II. Sections 215 and 216 of this act shall apply to taxable periods ending on or after December 31, 2021.

218 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**.

219 Department of Health and Human Services; New Hampshire Health Protection Program; Medicaid Waiver; Work Requirements. RSA 126-A:5, XXX(a) is repealed and reenacted to read as follows:

XXX.(a) 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 this paragraph. Specifically the commissioner shall require that:

(1) 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 20 hours per week upon

application of benefits, 25 hours per week after receiving 12 months of benefits over the lifetime of the applicant and 30 hours per week after receiving 24 months of benefits over the lifetime of the applicant of one or a combination of the following activities:

- (A) Unsubsidized employment.
- (B) Subsidized private sector employment.
- (C) Subsidized public sector employment.
- (D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
- (E) On-the-job training.
- (F) Job search and job readiness assistance.
- (G) Vocational educational training not to exceed 12 months with respect to any individual.
- (H) Job skills training directly related to employment.
- (I) 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.
- (J) 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.

(2) If an individual in a family receiving benefits under this subparagraph refuses to engage in work required in accordance with subparagraph (a), the assistance shall be terminated. The commissioner of the department of health and human services shall adopt rules under RSA 541-A, with approval of the governor and the fiscal committee of the general court, to determine good cause and other exceptions to termination.

(3) This subparagraph shall only apply to those considered, 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.

(4) This subparagraph shall not apply to:

(A) 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.

(B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.

(C) 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.

(D) A parent or caretaker of a dependent child under 6 years of age.

(5) Any waivers or amendments pursuant to this subparagraph shall be in place by April 30, 2018. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the governor and 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 April 30, 2018, notify all program participants that the program has not been reauthorized beyond December 31, 2018.

220 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.

221 State Police Trooper Positions. During the biennium ending June 30, 2019, the commissioner of safety is authorized to establish up to 5 state police trooper I positions, upon fiscal committee and governor and council approval. For said purpose, the department is authorized to transfer funds from within its budget, provided that if sufficient funds are not available, the governor is authorized to draw a warrant from the general, highway, and turnpike funds to maintain the source of funding mix in accounting unit 02-23-23-234015-4003. The commissioner shall make a report which includes, but is not limited to, a summary of the authorized positions including vacant positions and an update on recruitment efforts.

222 New Section; Adequate Representation for Indigent Defendants in Criminal Cases; Additional Funding from State Departments and Agencies. Amend RSA 604-A by inserting after section 1-b the following new section:

604-A:1-c Additional Funding From State Departments and Agencies. Every state department, board, institution, commission, or agency which receives general fund grants or supplemental appropriations outside of the state biennial operating budget for the purpose of conducting law enforcement activities that may result in increased costs for indigent defense as determined by the court, shall transfer 5 percent of such funds received to the judicial council to be used to pay for indigent defense costs resulting from such law enforcement activities. Payment for expenses of indigent representation under this section shall be made pursuant to RSA 604-A:8.

223 New Paragraph; Food Service Licensure; Fee Revenues. Amend RSA 143-A:6 by inserting after paragraph V the following new paragraph:

VI. From the amounts collected by the commissioner under paragraph V, up to \$300,000 each fiscal year may be included in the state biennial operating budget as restricted revenue to support the activities required in this chapter.

224 Repeal; 2018. RSA 83-E, relative to the electricity consumption tax, is repealed.

225 Reference Deleted. Amend RSA 21-J:31 to read as follows:

21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount of the tax due or \$10, whichever is greater, for each month or part of a month during which the return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in which a return is filed within the extended filing period as provided in RSA 77:18-b, RSA 77-A:9, RSA 77-E:8, RSA 83-C:6, ~~[RSA 83-E:5,]~~ RSA 84-A:7, or RSA 84-C:7, or the failure to file was due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is determined by applying the percentages specified to the net amount of any tax due after crediting any timely payments made through estimating or other means.

226 Reference Deleted. Amend RSA 21-J:33-a, I to read as follows:

I. If there is a substantial understatement of tax imposed under RSA 77, RSA 77-A, RSA 77-E, RSA 78-A, RSA 78-C, RSA 82-A, RSA 83-C, ~~[RSA 83-E,]~~ or RSA 84-A for any taxable period, there shall be added to the tax an amount equal to 25 percent of the amount of any underpayment attributable to such understatement.

227 References Deleted. Amend RSA 71-C:4, I and II to read as follows:

I. On or before December 15 of every fiscal year the commissioner of the department of revenue administration shall certify in a report to the general court and the governor an analysis of each of the past fiscal year's tax expenditures as identified in RSA 71-C:2, and other credits allowed under RSA 77, RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, 78-B, RSA 82-A, ~~[RSA 83-E,]~~ RSA 84-A, RSA 84-C, and RSA 400-A.

II. The report shall be divided into the following parts:

(a) Tax expenditures as determined by the joint committee on tax expenditure review under RSA 71-C:3;

(b) Potential liabilities against the state's revenues, specifically:

(1) Other credits allowed under RSA 77, RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, RSA 78-B, RSA 82, RSA 82-A, ~~[RSA 83-E,]~~ RSA 84-A, RSA 84-C, and RSA 400-A against the business profits tax imposed by RSA 77-A; and

(2) Credit carryovers from overpaid taxes.

228 Study Required; Office of Strategic Initiatives. By December 1, 2018, the office of strategic initiatives, formerly the office of energy and planning, shall produce a study on the economic viability of electric renew-

able portfolio standard Class III biomass electric generation resources in New Hampshire. The study shall be filed with the senate president, the speaker of the house of representatives, the governor, and the state library, and:

I. Shall analyze at what wholesale electricity rate the majority of New Hampshire Class III biomass facilities would be able to operate economically without reliance on other ratepayer-funded revenue mechanisms;

II. Shall assess the number of jobs and economic activity directly attributable to the operation of biomass plants, including only such economic activities or wood product resources that have no alternate use other than purchase by or relation to a Class III biomass plant; and

III. May compile the ratepayer costs attributable to Class III biomass plants beyond the wholesale electricity commodity cost from 2014 through 2017.

229 New Subparagraph; Business Profits Tax; Definition of Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (m) the following new subparagraph:

(n) For all taxable periods beginning on or after January 1, 2018, the United States Internal Revenue Code of 1986 in effect on December 31, 2016, subject to RSA 77-A:3-b.

230 New Subparagraph; State Treasurer; Application of Receipts; Uncompensated Care Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:

(334) Moneys deposited in the uncompensated care and Medicaid fund established in RSA 167:64.

231 Judicial Branch; Collective Bargaining Agreement. Pursuant to RSA 273-A:3, II(b), the general court approves the cost items in collective bargaining agreements between the New Hampshire judicial branch and the State Employees' Association of New Hampshire, SEIU Local 1984, ratified on February 23, 2016, and effective until June 30, 2019, and between the New Hampshire Judicial Branch and Teamsters Local 633, ratified on May 5, 2017, and effective until June 30, 2019. The judicial branch may pay the cost items in those agreements from its appropriation in the operating budget for fiscal years 2018 and 2019.

232 General Fund Transfer to Highway Fund. The sum of \$13,900,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the highway fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

233 Department of Agriculture; Pet Vending. RSA 437:1 through RSA 437:13-a are repealed and reenacted to read as follows:

Transfer of Animals and Birds

437:1 Definitions. In this subdivision:

I. "Animal shelter facility" means a facility, including the building and the immediate surrounding area, which is used to house or contain animals and which is owned, operated and maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals, and also a public pound for the housing of strays or a pound operated by any person, excluding veterinarians, who contracts with a municipality to serve that function.

II. "Commercial kennel" means any person, business, corporation, or other entity that transfers 10 or more litters or 50 or more puppies in any 12-month period.

III. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

IV. "Pet vendor" means any person, firm, corporation, or other entity engaged in the business of transferring live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the final owner occurs within New Hampshire.

V. "Transfer" means transfer of ownership of live animals or birds from any person, firm, corporation, or other entity to a member of the public.

437:2 Declaration of Policy. This subdivision establishes standards for the regulation of animal health that are consistent with the pattern established throughout statute by the general court. Animal health regulation shall focus either on those conditions that pose a threat to public health or that would require regulatory intervention to protect the economy of the state, or both.

437:3 Requirements. No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the commissioner for a license, giving such information as the commissioner shall require. The application shall include proof that the zoning enforcement official of the municipality wherein any facility is to be maintained has certified that the facility conforms to the municipal zoning regulations. The application shall be accompanied by a non-refundable \$200 fee. All licenses shall expire on June 30 of each year and be subject to renewal upon submission of a new application. No licenses shall be transferable. A pet vendor licensed under this subdivision shall:

I. Maintain in a clean and sanitary condition all premises, buildings, and other enclosures used in the business of dealing in live animals or birds customarily used as household pets.

II. Submit premises, buildings and other enclosures to unannounced inspection by department employees or local animal control, law enforcement, or health officials at reasonable times.

III. Maintain, subject to inspection by the commissioner, his or her agent, local officials, law enforcement, or any member of the public, a proper record in which all live animals or birds customarily used as household pets obtained or transferred shall be listed, giving the breed, date the animal was obtained and transferred, and from whom the animal or bird was obtained and to whom the animal was transferred. Such record shall also show the microchip, leg band, or tattoo number of each animal or bird, where applicable. Animals or birds that do not bear such identification shall be identified by recording markings, a physical description and any other information as the commissioner deems necessary to identify such animals or birds.

IV. Keep records of all animals or birds intended for transfer indicating identification, point of origin, and recipient, and shall submit said records to the commissioner upon request.

V. Abide by such other rules as the commissioner may adopt to control disease.

437:4 Refusal to Issue; Revocation of License. The commissioner, after notice to the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may deny an application or revoke a license for any of the following reasons:

I. The applicant or licensee violated the statutes of the state of New Hampshire or of the United States or any rule adopted by the commissioner pursuant to this chapter;

II. The applicant made false or misleading statements in his or her application for a license;

III. The licensee knowingly transferred any animal affected with a communicable disease except as allowed under RSA 437:5 and RSA 437:8, II;

IV. The licensee ceased to operate the business for which the license was issued; or

V. The applicant or licensee held any similar license issued in another jurisdiction which was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA 437 during the preceding 5 years.

437:5 Prohibition. No licensee under this subdivision shall transfer, other than to a qualified veterinarian or licensed animal shelter facility, any maimed, sick, or diseased animal or bird other than as permitted under RSA 437:8, II nor shall any licensee treat inhumanely any animal or bird in his or her care or possession or under his or her control.

437:6 Health Management; Dogs, Cats, and Ferrets.

I. Medical treatment and use of controlled drugs on any animal or bird under the care or possession or under the control of any licensee other than a veterinarian may be administered only under the direction and supervision of a veterinarian for the purposes of this subdivision.

II. Within 14 days of transfer, the transferee of a dog, cat, or ferret from a licensee may have the dog, cat, or ferret examined by a licensed veterinarian selected by the transferee and, unless said examination indicates the dog, cat, or ferret to be free of disease, the transferee shall be entitled to substitution or, at the transferee's option, a full refund of the purchase price of the dog, cat, or ferret, if applicable, upon return of the dog, cat, or ferret to the licensee within 2 business days of said examination, accompanied by the veterinarian's statement that the animal is not free of disease.

437:7 Exceptions. The license provisions of this subdivision shall not apply to breeders of dogs that do not meet the definition of commercial kennel in RSA 437:1, veterinarians, or the transfer of livestock or poultry.

437:8 Health Certificates for Dogs, Cats, and Ferrets.

I. For purposes of this chapter, an official health certificate means a certificate signed by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification of the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included on or attached to the certificate.

II. The original of the official health certificate accompanying the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left the facility. The public shall be informed of their right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, that animal's health certificate shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. The transferee may accept a dog, cat, or ferret that has a noncontagious illness, or feline leukemia virus or feline immunodeficiency virus, which has caused it to fail its examination by a licensed veterinarian for an official health certificate. The transferee shall sign a waiver that indicates the transferee has knowledge of such dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.

III. No person, firm, corporation, or other entity shall ship or bring into the state of New Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or ferret less than 8 weeks of age.

IV. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian separated from other animals on the premises before being offered for transfer.

437:9 Rulemaking Authority. The commissioner may adopt rules, pursuant to RSA 541-A, relative to:

I. The information required from an applicant for a license as a pet vendor;

II. The health and sanitation standards to effectuate the purposes of this subdivision;

III. Information required to be maintained in records of pet vendors regarding identifying features of animals or birds obtained and transferred;

IV. Notice and hearing on the refusal to issue or the revocation of a license; and

V. Any other matter the commissioner may deem necessary to carry out the provisions of this subdivision.

437:10 Penalty.

I. Any pet vendor who transfers live animals or birds customarily used as household pets in this state without having a license to do so as required by this chapter shall be guilty of a misdemeanor.

II. In addition to the penalty under paragraph I, any pet vendor who violates any of the provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied by the commissioner, not to exceed \$1,000 for each violation.

234 Department of Agriculture; Pet Vendors; Cross Reference Changed. Amend RSA 437:22, I to read as follows:

I. It shall be unlawful for any agent acting on behalf of an animal shelter facility as defined in [RSA 437:2, I] **RSA 437:1, I**, or an animal care center as defined in RSA 437:18, III, to give, release, sell, trade or transfer with or without a fee any live animal brought, caught, detained, obtained or procured by any means, to any association, corporation, individual, educational institution, laboratory, medical facility, or anyone else, for the purpose of experimentation or vivisection.

235 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2019.

236 Forest Management and Protection Fund. Amend RSA 227-G:5, I(b) to read as follows:

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

237 Division of Accounting Services; Department of Administrative Services. Amend the introductory paragraph of RSA 21-I:8 to read as follows:

21-I:8 Division of Accounting Services. There is hereby established within the department the division of accounting services under the supervision of an unclassified director of accounting services, who shall also be known as the comptroller. The comptroller shall direct the state's accounting functions, using generally accepted accounting principles and taking full advantage of all benefits of automated data processing applications, to the end that the fiscal affairs of all state agencies and departments will be adequately and uniformly serviced and that periodic financial and management reports will be available to serve the various needs of all state agencies and the executive and legislative branches in their decision making processes. ~~[If the commissioner of administrative services and the respective state agencies are unable to generate any required information that, in accordance with generally accepted accounting principles, should be provided with the comprehensive annual financial report and any stand-alone financial statements identified in subparagraphs II(b) and II(c), the commissioner shall communicate this deviation in advance to the legislative budget assistant as soon as the deviation is known.]~~ ***The commissioner of administrative services may authorize deviations from generally accepted accounting principles if the commissioner deems it is in the best interest of the state, provided that the explanation for the deviation is provided in the annual report required by subparagraph II(a).*** The division shall include the following internal organizational units:

238 Repeal. RSA 21-I:8, II(b) and (c), relative to duties of the bureau of financial services on audited financial statements of agencies, are repealed.

239 Administrative Services; Funding and Staffing Resource Limitations.

I. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services is authorized to suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2019:

(a) RSA 21-I:7-c as it applies to addressing performance and financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding management of the employee and retiree health benefit program, including establishing rules and operational policies for the program.

(b) RSA 21-I:11, I(c)(1).

II. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services is authorized to suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2019:

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

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

240 Administration of Alcohol Concentration Tests. Amend RSA 265-A:5, IV to read as follows:

IV. No tests of blood, urine, or breath authorized by RSA 265-A:4 shall be considered as evidence in any proceeding before any administrative officer or court unless such test is performed in accordance with methods prescribed by the commissioner of the department of safety. ***The commissioner of the department of safety shall have exclusive authority for equipment testing, law enforcement training, and administration of grant programs relating to alcohol concentration tests.***

241 Federal and State Highway Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 percent of the gross road toll revenue and motor vehicle fees collected in the preceding fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute. ***In the event the appropriation for the disbursement required under this paragraph is insufficient, the governor is authorized to draw a warrant in the amount of the shortfall. Such warrant shall be a charge against the highway fund.***

242 Sale of Lottery Tickets; Internet Sales Added. Amend RSA 284:21-h, II(e) to read as follows:

(e) May be sold by or for the lottery commission through the use of mobile applications by mobile devices or over the Internet. With respect to such sales, the lottery commission shall provide:

(1) Age verification measures to be undertaken to block access to and prevent sales of lottery tickets to people under the age of 18 years. Such measures shall include requiring players to register for an account at a lottery retailer licensed pursuant to this chapter.

(2) That lottery purchases shall be limited to transactions initiated and completed within the geographic borders of the state of New Hampshire.

(3) Wager limits for daily, weekly, and monthly amounts for each player and account consistent with the best practices in addressing problem gambling.

(4) A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.

II-a. Owners of retail establishments who have been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, shall not be allowed to sell lottery tickets in their retail establishment.

243 Sale of Lottery Tickets; Reference Removed. Amend RSA 284:21-h, VI to read as follows:

VI. The commission shall not authorize the use of any electronic gaming device in any game, lottery, or other offering which was not in use by the commission on or before January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and device used for the purpose of gaming[~~whether in physical presence or through the Internet,~~] and shall include video slot machines and other gambling devices which function or are designed to emulate a video slot machine or other gambling machine, historic racing machine, and computer technology to reveal instant ticket winners. This section shall not be interpreted to prohibit the commission from replacing offerings, games, or equipment which were in service prior to January 1, 2011 with new offerings, games, or equipment which are the functional equivalent of those offerings, games, or equipment which are being replaced.

244 Joint Legislative Committee to Examine the Independent Review of the Division for Children, Youth and Families. There is established a committee to examine the independent review of the division for children, youth and families.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall examine the independent review of the division for children, youth and families and assess the state's progress in addressing issues raised by the Center for the Support of Children in the center's report dated December 19, 2016. In consultation with the commissioner of health and human services, the committee shall develop any draft legislation necessary to implement recommendations from the report and review for inclusion in the 2020/2021 biennial budget.

IV. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

V. The committee 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 July 1, 2020.

245 Contingency. If HB 144 of the 2017 regular legislative session does not become law, then this bill shall not take effect.

246 Effective Date.

I. Sections 1, 67, 68, 69, 71, 109, 136, 167, and 232 of this act shall take effect June 30, 2017.

II. Section 10 of this act shall take effect October 1, 2017.

III. Section 158 of this act shall take effect May 1, 2018.

IV. Section 161 of this act shall take effect March 1, 2018.

V. Sections 162, 165, 217, 229, 237, and 238 of this act shall take effect upon its passage.

VI. Sections 6, 7, 8, 9, 159, 160, 163, 164, 166, 172, 173, 202, and 218 of this act shall take effect January 1, 2018.

VII. Sections 72, 213, and 214 of this act shall take effect July 1, 2019.

VIII. Sections 215 and 216 of this act shall take effect July 1, 2021.

IX. Sections 224-227 of this act shall take effect January 1, 2019.

X. The remainder of this act shall take effect July 1, 2017.

The signatures below attest to the authenticity of this Report on HB 517, relative to the function and organization of the department of administrative services risk management unit and division of personnel.

Conferees on the Part of the Senate
Sen. Daniels, Dist. 11
Sen. Reagan, Dist. 17
Sen. Morse, Dist. 22
Sen. Giuda, Dist. 2

Conferees on the Part of the House
Rep. Kurk, Hills. 2
Rep. Jasper, Hills. 37
Rep. Hinch, Hills. 21
Rep. L. Ober, Hills. 37
Rep. Umberger, Carr. 2
Rep. Weyler, Rock. 13

2017-2358-CofC

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. 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.

8. Permits the supreme court to transfer funds among judicial branch accounts.
9. Changes the name of the department of resources and economic development to the department of natural and cultural resources.
10. Eliminates the department of cultural resources, and transfers that department's operations to the department of natural and cultural resources.
11. Creates the department of business and economic affairs.
12. 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.
13. 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.
14. Changes the name of the office of energy and planning to the office of strategic initiatives.
15. Repeals the authorization for the department of health and human services to pay funeral expenses of a recipient of public assistance.
16. Provides that federal emergency assistance grants shall be collected by the appropriate agency and appropriated to the department of transportation.
17. Establishes a public school infrastructure fund and commission for the biennium ending June 30, 2019 and suspends school building aid from the department of education for the biennium ending June 30, 2019.
18. Permits all agencies to provide documents by electronic mail in lieu of mail.
19. 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.
20. Maintains distribution of meals and rooms tax revenue to cities and towns at no more than the amount of the fiscal year 2017 distribution.
21. 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.
22. Suspends home health services rate setting for the biennium ending June 30, 2019.
23. Suspends provisions of congregate housing and congregate services for the biennium ending June 30, 2019.
24. 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.
25. 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.
26. Caps the maximum monthly temporary assistance for needy families cash benefit at 60 percent of federal poverty guidelines.
27. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2019.
28. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2019.
29. Establishes an Internet crimes against children fund and makes an appropriation for each year of the biennium ending June 30, 2019.
30. Establishes the position of financial research analyst I within the department of justice.
31. Redesignates the banking department's general counsel as an unclassified position.

32. Permits departments and agencies, with permission of the department of administrative services, to rent, lease, or lease-purchase vehicles from outside vendors.

33. Amends definitions for chartered public schools and revises funding levels for chartered public schools.

34. Amends the additional grant amount for chartered public schools and establishes a funding formula for the Virtual Learning Academy Charter School.

35. Removes references to “catastrophic aid” in the special education statutes.

36. Consolidates information technology functions between the department of health and human services and the department of information technology.

37. 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.

38. 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.

39. Removes a reference to a 2016 disaster response appropriation from the renewable energy fund.

40. Permits the department of education to accept gifts to fund the New Hampshire scholars program.

41. Establishes the governor’s scholarship program.

42. Establishes a dual and concurrent enrollment program allowing certain high school students to enroll in courses for college credit.

43. Creates a division of taxpayer services within the department of revenue administration.

44. Eliminates the document processing division within the department of revenue administration.

45. Transfers jurisdiction over licensing of assemblies on state waters or ice from the commissioner of the department of safety to local fire department chiefs.

46. Revises certain provisions relating to the layout of state highways.

47. Amends provisions relating to the acquisition and relocation of certain highways acquired in 1945 or earlier.

48. 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.

49. 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.

50. Increases the appropriation to the governor’s commission on disability for funding the “Newslines for the Blind.”

51. 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.

52. 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.

53. 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.

54. Requires an annual appropriation from the general court to the national guard scholarship fund.

55. 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.

56. Clarifies funding responsibility for custody and control of prisoners for purposes of video arraignments.

57. 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.

58. Suspends RSA 489, relative to integrated land development permits, for the biennium ending June 30, 2019.
59. 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.
60. Provides workers' compensation coverage to certain volunteers for the fish and game department.
61. Makes an appropriation to the fire standards and training and emergency medical services fund.
62. 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.
63. Directs the treasurer to credit revenue collected from the airways toll to the department of transportation.
64. Grants the lottery commission the authority to purchase real property for use as the lottery commission's headquarters.
65. 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.
66. Authorizes the comptroller to transfer sufficient funds from the general fund to eliminate a deficit in the education trust fund.
67. Amends the chartered public school funding statute to add provisions for payments to chartered public schools.
68. Establishes a robotics education development program to encourage students to pursue education in science, technology, engineering, and mathematics.
69. Removes the interim rulemaking provision relating to methadone detoxification or methadone maintenance programs.
70. Revises the procedures for placement and detention of minors at the Sununu youth services center and other appropriate placements and makes an appropriation therefor.
71. Provides that funds determined by the governor for alcohol and drug abuse treatment services shall be used exclusively for payment for contracted services and provides that expenditures for operational costs of the Sununu youth services center may be funded from governor's commission funds with the prior approval of the fiscal committee.
72. Establishes evaluation criteria for placement of a minor in an alcohol or drug treatment facility under the delinquency or CHINS statute.
73. Makes an appropriation for development of a New Hampshire partnership for long-term care plan.
74. Requires the commissioner of the department of health and human services to develop a universal online 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.
75. Increases the rates for certain services, placements, and programs that are payable by the department of health and human services.
76. 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.
77. 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.
78. 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.
79. 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.
80. Requires the commissioner of the department of health and human services to issue certain requests for applications and requests for proposals.

81. 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.

82. 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.

83. Establishes an independent office of the child advocate and an oversight commission on children's services and juvenile justice.

84. Amends the purpose of the child protection act.

85. Amends the definition of an unfounded report by replacing "no probable cause to believe" with "insufficient evidence to substantiate a finding."

86. Inserts a definition of "serious impairment."

87. 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.

88. 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.

89. Establishes requirements for budget transfers by agencies.

90. Requires the commissioner of the department of health and human services to establish and utilize a competitive bidding process for family planning services.

91. Removes the requirement in the administrative procedure act for agencies to give notice to legislative committees for proposed rules on newly enacted authority.

92. 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.

93. Establishes a chartered public school program officer position in the department of education.

94. Requires the state to reimburse the sheriff's office for court security at rates provided in the collective bargaining agreement.

95. Prohibits reproductive health care facilities from using state funds to provide abortion services.

96. Authorizes a temporary Milford substation for the division of motor vehicles.

97. Reduces the rates of the business profits tax and the business enterprise tax in 2019 and in 2021.

98. Increases the amount of the expense deduction under the business profits tax.

99. 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.

100. 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.

101. Authorizes the commissioner of safety to establish up to 5 state police trooper I positions.

102. Requires state departments and agencies receiving certain funding from the general fund to transfer a portion of those funds to the judicial council to pay for indigent defense costs.

103. Allows for certain fees collected for food service licensure to be included in the operating budget as restricted revenue.

104. Repeals the electricity consumption tax.

105. Requires the office of strategic initiatives to study the economic viability of electric renewable portfolio standard Class III biomass electric generation resources in New Hampshire.

106. For taxable periods beginning on or after January 1, 2018, adds a definition of Internal Revenue Code for the purposes of the business profits tax.

107. Amends RSA 6:12 to include the uncompensated care and Medicaid fund established in RSA 167:64.

108. Approves payment for the cost items by the judicial branch in the collective bargaining agreement from its appropriation in the operating budget.

109. Makes an appropriation of fiscal year 2017 general funds to the highway fund.

110. Revises statutory provisions related to pet vendors.

111. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program for the biennium ending June 30, 2019.

112. Removes the continual appropriation for the forest management and protection fund.

113. Authorizes suspension of certain statutory and executive order duties due to inadequate funding and staffing resources at the department of administrative services.

114. Clarifies the authority of the commissioner of the department of safety respecting alcohol concentration testing equipment.

115. Authorizes the governor to draw a warrant from the highway fund to satisfy any shortfall in disbursements required for apportionment A highway projects.

116. Allows the lottery commission to sell lottery tickets on the Internet and by mobile applications and create certain practices to address problem gaming in such sales.

117. Makes an appropriation to the department of health and human services to conduct an independent review of the division for children, youth and families and establishes a joint legislative committee to review the results.

118. Inserts a contingency providing that if HB 144 of the 2017 regular legislative session does not become law, then this bill shall not take effect.

The question is on the adoption of the Committee of Conference Report.

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

Recess. Out of recess.

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.

June 15, 2017
2017-2368-CofC
10/03

Committee of Conference Report on HB 25-FN-A, making appropriations for capital improvements.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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	(12,000,000)
Net State	3,000,000
B. Concord Readiness Center	4,050,000
Less Federal Funds	(4,050,000)
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	0
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. State House Representatives Hall - Paint Ceiling	665,000
10. 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	4,500,000
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	\$26,595,000

*To provide funds for the appropriation made in subparagraph B, 10, 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. The bonds for this project shall be 5-year bonds. 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, or if the anticipated savings generated by the Concord Steam project conversion are insufficient to fund the scheduled payments of principal and interest on the bonds and notes, then 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	<u>487,781</u>
Total state appropriation paragraph V	\$487,781

VI. Department of Education

A. Renovation of Plymouth CTE Center- State Share *	5,341,673
B. Renovation of Rochester CTE Center- State Share* **	8,000,000
C. Pre-Engineering Technology Program	<u>200,000</u>
Total state appropriation paragraph VI	\$13,541,673

*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.

** The general court intends that the department of education shall include the remaining funding for the CTE center in Rochester as the first priority on the biennial 2018-2019 priority list of facilities and programs eligible for renovation and expansion pursuant to RSA 188-E:10.

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 *	3,205,000
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	\$16,293,500

*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	22,838,341
Less Federal Funds	<u>(20,554,507)</u>
Net State	2,283,834
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	\$10,068,383

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	1,392,555
B. Enterprise Workflow/Document Mgmt (All - Enterprise)	1,175,000
C. Statewide Archiving Assessment**	446,250
D. Enterprise GIS Alignment (All-Enterprise)	<u>700,192</u>
Total state appropriation paragraph XII	\$3,713,997

* The commissioner of the department of information technology is authorized to reallocate funds among the projects in subparagraphs A-D as necessary to complete the projects.

** 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	1,400,000
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	656,840
Less Other Funds*	<u>(200,000)</u>
Net State	<u>456,840</u>
Total state appropriation paragraph XVIII	\$4,326,840

* To provide funds for the appropriation made in paragraph XVIII, G, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$200,000 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 state park fund established in RSA 216-A:3-i.

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 Specialty Vehicle Storage- Design	300,000
C. State Police Records Management System	<u>2,500,000</u>
Total state appropriation paragraph XX	\$3,336,000

XXI. Department of State	
A. Archives Addition	4,850,000
Total state appropriation paragraph XXI	\$4,850,000

XXII. Department of Transportation, General Funds	
A. Aeronautics, Rail, and Transit, Public Transit Bus & Facility Matching Funds	1,141,881
B. Repairs to Granite Arches in Westmoreland & Walpole	500,000
C. Coos County Rail Improvements*	900,000
D. Strafford & Carroll County Rail Improvements*	900,000
E. Eastern Slope Regional Airport Terminal/Hangar Building, State Match for Federal Funds	<u>75,000</u>
Total state appropriation paragraph XXII	\$3,516,881

* The sum appropriated in subparagraphs C and D shall be a match to private funds of an equal amount.

XXIII. Veterans Home	
A. LEDU Building Fire Wall Repairs	1,460,000
B. Security Infrastructure Improvements	<u>795,000</u>
Total state appropriation paragraph XXIII	<u>\$2,255,000</u>
Total state appropriation section 1	\$122,094,355

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 \$201,102,378 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 \$125,094,355, highway fund \$17,524,000, and other funds \$58,484,023.

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 XVIII, G 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 Department of Transportation and Liquor Commission; Feasibility Assessment; Hampton Liquor Stores; Contingency.

I. 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.

II. 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. 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.

III. 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.

IV. If HB 517 of the 2017 regular legislative session does not become law, paragraphs I-III of this section shall take effect July 1, 2017. If HB 517 of the 2017 regular legislative session becomes law, paragraphs I-III of this section shall not take effect.

20 Contingent Appropriation; Feasibility Study; Hampton North and South Liquor Stores. If the feasibility assessment required under this act or HB 517 of the 2017 regular legislative session, as applicable, concludes that the construction, operation, and maintenance of a turnpike service plaza for motorists is not feasible, then in addition to the sum appropriated in section 1, paragraph XV, D for new Hampton north and south liquor stores, the sum of \$6,393,790 is hereby appropriated for said project to build liquor and wine outlets on the land presently owned by the liquor commission. To provide funds for the additional appropriation, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$6,393,790 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.

21 Contingent Lapse Date Extension. If HB 340 of the 2017 regular legislative session does not become law, the appropriation to the department of administrative services in 2013, 195:1, II, A, 1 as extended by 2015, 220:23, 8 for emergency repairs - all stated owned facilities shall not lapse and is hereby extended to June 30, 2019.

22 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 Glenciff 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 Glenciff.

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 Glenciff 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 Glenclyff 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 Glenclyff 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.

23 Effective Date.

I. Section 22 of this act shall take effect June 30, 2017.

II. Paragraph I-III of section 19 of this act shall take effect as provided in paragraph IV of section 19 of this act.

III. The remainder of this act shall take effect July 1, 2017.

The signatures below attest to the authenticity of this Report on HB 25-FN-A, making appropriations for capital improvements.

Conferees on the Part of the Senate
Sen. D'Allesandro, Dist. 20
Sen. Bradley, Dist. 3
Sen. Gray, Dist. 6

Conferees on the Part of the House
Rep. McConkey, Carr. 3
Rep. J. Graham, Hills. 7
Rep. Packard, Rock. 5
Rep. Cloutier, Sull. 10

The question is on the adoption of the Committee of Conference Report. Adopted.

Senator Sanborn is in opposition to the adoption of the Committee Conference Report on HB 25-FN-A.

June 13, 2017
2017-2294-CofC
03/06

Committee of Conference Report on HB 131, relative to the costs for notice of changes in a zoning district.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 675:7, I-b as inserted by section 1 of the bill by replacing it with the following:

I-b. In the case of a petitioned zoning amendment as authorized in RSA 675:4, the petitioners shall be responsible for the cost of notice by mail under paragraph I-a. If the full cost of notice is not paid at the time of submission, the municipality shall inform the voter whose name appears first on the petition of the cost of notice within 5 business days, and the balance shall be paid within another 5 business days. If full payment is not made and received within 5 business days, the selectmen or village district commissioners may, in their discretion, decide to accept or decline the petition for submission. Failure by the municipality to inform the responsible person of the cost of notice shall be deemed a waiver of the payment requirement.

The signatures below attest to the authenticity of this Report on HB 131, relative to the costs for notice of changes in a zoning district.

Conferees on the Part of the Senate
Sen. Gray, Dist. 6
Sen. Ward, Dist. 8
Sen. Kahn, Dist. 10

Conferees on the Part of the House
Rep. J. Belanger, Hills. 27
Rep. Sterling, Ches. 14
Rep. Josephson, Graf. 11
Rep. Gauthier, Sull. 3

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
2017-2329-CofC
03/06

Committee of Conference Report on HB 161-FN, relative to beverage sales at farmers' markets.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 2 with the following:

2 Liquor Commission; Marketing and Merchandising. Amend RSA 176:11, II to read as follows:

II. In the event that the commission determines New Hampshire liquor revenues are being diverted by actions taken by persons holding either liquor and wine representative *licenses*, ~~[or]~~ liquor and wine vendor licenses, *or direct shipper licenses* who compete directly or indirectly with the commission for market share ~~[in this or other states]~~, the commission may take such marketing or merchandising action, or both, as it deems necessary, including sanctions against ~~[products supplied by]~~ the competing entities.

The signatures below attest to the authenticity of this Report on HB 161-FN, relative to beverage sales at farmers' markets.

Conferees on the Part of the Senate
Sen. Innis, Dist. 24
Sen. French, Dist. 7
Sen. Lasky, Dist. 13

Conferees on the Part of the House
Rep. Hunt, Ches. 11
Rep. Biggie, Hills. 23
Rep. Butler, Carr. 7
Rep. Azarian, Rock. 8

The question is on the adoption of the Committee of Conference Report.

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Kahn, Avard, Lasky, Carson, Feltes, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Sanborn, Daniels.

Roll Call, Yeas: 21 - Nays: 2. Adopted.

June 14, 2017
2017-2342-CofC
08/05

Committee of Conference Report on HB 164, relative to poker in private residences.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

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

The signatures below attest to the authenticity of this Report on HB 164, relative to poker in private residences.

Conferees on the Part of the Senate
Sen. Sanborn, Dist. 9
Sen. Giuda, Dist. 2
Sen. Feltes, Dist. 15

Conferees on the Part of the House
Rep. Ohm, Hills. 36
Rep. Azarian, Rock. 8
Rep. Lang, Belk. 4
Rep. Ames, Ches. 9

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
2017-2343-CofC
04/05

Committee of Conference Report on HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 318-B:43, I as inserted by section 1 of the bill by replacing it with the following:

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) Four 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) A representative of the New Hampshire Bar Association, appointed by the association.
- (j) A representative of the New Hampshire Association of Chiefs of Police, appointed by that organization.
- (k) A representative of the New Hampshire Medical Society, appointed by that organization.
- (l) A representative of New Futures, appointed by that organization.
- (m) A representative of the public, appointed by the governor.

The signatures below attest to the authenticity of this Report on HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana.

Conferees on the Part of the Senate
 Sen. Carson, Dist. 14
 Sen. Gannon, Dist. 23
 Sen. Lasky, Dist. 13

Conferees on the Part of the House
 Rep. Abrami, Rock. 19
 Rep. Burns, Hills. 23
 Rep. Theberge, Coos 3
 Rep. Walz, Merr. 23

The question is on the adoption of the Committee of Conference Report. Adopted.

Senator Morse is in opposition to the adoption of the Committee Conference Report on HB 215.

June 13, 2017
 2017-2299-CofC
 10/06

Committee of Conference Report on HB 237, establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 5 with the following:

6 New Subparagraph; Limitations of OHRV Operation on Class I, II, III and III-a Highways; Exception Added. Amend RSA 215-A:10, IV by inserting after subparagraph (c) the following new subparagraph:

(d) The trail connector and crossing, located along and across Route 114 in the town of Henniker, which connects to the southwest end of Mink Hill Road, shall be designated for OHRV use during the months of May through November, provided that the town of Henniker and private lands south of Route 114 continue to allow the public OHRV use on their properties.

7 Effective Date. This act shall take effect upon its passage.

The signatures below attest to the authenticity of this Report on HB 237, establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles.

Conferees on the Part of the Senate
Sen. Gannon, Dist. 23
Sen. Ward, Dist. 8
Sen. Kahn, Dist. 10

Conferees on the Part of the House
Rep. Steven Smith, Sull. 11
Rep. T. Walsh, Merr. 24
Rep. Horn, Merr. 2
Rep. Sykes, Graf. 13

2017-2299-CofC

AMENDED ANALYSIS

This bill establishes a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles. The bill also designates an OHRV crossing and trail connector in the town of Henniker.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 12, 2017
2017-2255-CofC
03/05

Committee of Conference Report on HB 247, relative to retention of voter registration forms.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

1 New Section; Retention of Voter Registration Forms. Amend RSA 654 by inserting after section 13 the following new section:

654:13-a Retention of Voter Registration Forms. All voter registration forms and other records relating to voter registration shall be retained securely in a municipal office under the direction of the town or city clerk. Those forms and records shall be readily accessible to the supervisors of the checklist. Any voter registration document submitted at a meeting of the supervisors of the checklist or at the polling place shall be filed at the office of the town or city clerk within 10 days of the meeting or election at which it was submitted.

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

The signatures below attest to the authenticity of this Report on HB 247, relative to retention of voter registration forms.

Conferees on the Part of the Senate
Sen. Birdsell, Dist. 19
Sen. Gray, Dist. 6
Sen. Soucy, Dist. 18

Conferees on the Part of the House
Rep. B. Griffin, Hills. 6
Rep. Negron, Hills. 32
Rep. Freeman, Hills. 12
Rep. Ward, Rock. 28

2017-2255-CofC

AMENDED ANALYSIS

This bill requires that voter registration forms and other records relating to voter registration be retained securely in a municipal office under the direction of the town or city clerk.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017
2017-2292-CofC
08/03

Committee of Conference Report on HB 258, relative to the submission and approval of subsurface sewage disposal system plans.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 674:72, V as inserted by section 4 of the bill by replacing it with the following:

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 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.***

The signatures below attest to the authenticity of this Report on HB 258, relative to relative to the submission and approval of subsurface sewage disposal system plans.

Conferees on the Part of the Senate
Sen. Avard, Dist. 12
Sen. Bradley, Dist. 3
Sen. Feltes, Dist. 15

Conferees on the Part of the House
Rep. Mullen, Straf. 1
Rep. Renzullo, Hills. 37
Rep. McConnell, Ches. 12
Rep. Suzanne Smith, Graf. 8

The question is on the adoption of the Committee of Conference Report. Adopted.

Recess. Out of recess.

June 13, 2017
2017-2306-CofC
10/08

Committee of Conference Report on HB 315, relative to persons who may accompany a youth operator of an OHRV or a snowmobile.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

1 OHRV Operation; Traveled Portion of Public Highway; Persons over 12 Years of Age. Amend RSA 215-A:29, I-a(b) to read as follows:

(b) Any person at least 12 years of age, who has successfully completed an approved snowmobile or OHRV training program, operating an OHRV along the traveled portion of a public highway, where permitted, who is not licensed to drive as described in subparagraph I(b)(2) shall be accompanied at all times by a person who is licensed to drive as described in subparagraph I(b)(2), who is at least [18] **25** years of age, and who shall be legally responsible and be liable according to the law for personal injury or property damage to others which may result from such operation by an unlicensed person.

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

The signatures below attest to the authenticity of this Report on HB 315, relative to persons who may accompany a youth operator of an OHRV or a snowmobile.

Conferees on the Part of the Senate
Sen. Birdsell, Dist. 19
Sen. Ward, Dist. 8
Sen. Watters, Dist. 4

Conferees on the Part of the House
Rep. Steven Smith, Sull. 11
Rep. T. Walsh, Merr. 24
Rep. Horn, Merr. 2
Rep. Sykes, Graf. 13

2017-2306-CofC

AMENDED ANALYSIS

This bill requires that a youth operating an OHRV along the traveled portion of a public highway who is not licensed to drive must be accompanied by a person who is licensed and who is at least 25 years of age.

The question is on the adoption of the Committee of Conference Report.

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

The following Senators voted Yes: Ward, Birdsell, Gannon.

The following Senators voted No: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Sanborn, Kahn, Daniels, Avarð, Lasky, Carson, Feltes, Reagan, Soucy, D'Allesandro, Fuller Clark, Innis, Morse.

Roll Call, Yeas: 3 - Nays: 20. Failed.

June 13, 2017
2017-2311-CofC
03/05

Committee of Conference Report on HB 319, relative limiting 20-day registration plates.

Recommendation:

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

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

The signatures below attest to the authenticity of this Report on HB 319, relative limiting 20-day registration plates.

Conferees on the Part of the Senate
Sen. Birdsell, Dist. 19
Sen. Ward, Dist. 8
Sen. Watters, Dist. 4

Conferees on the Part of the House
Rep. Steven Smith, Sull. 11
Rep. T. Walsh, Merr. 24
Rep. Horn, Merr. 2
Rep. Sykes, Graf. 13

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
2017-2327-CofC
05/10

Committee of Conference Report on HB 340, relative to the sale of the Laconia state school.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 10:6 as inserted by section 1 of the bill by replacing it with the following:

10:6 Membership; Meetings; Compensation.

I. The commission shall be comprised of the following members:

(a) Three members who shall have experience as real estate developers or have business experience, appointed by the governor and council.

(b) One member with business experience who is a resident of Belknap county, appointed by the governor and council.

(c) One member appointed by the mayor and city council of the city of Laconia.

(d) One member with business experience, appointed by the speaker of the house of representatives.

(e) One member with business experience, appointed by the senate president.

II. The governor shall appoint a member of the commission to be the chairperson.

III. Appointments to the commission shall be made within 20 days of the effective date of this section. The first meeting shall be not later than 30 days after the effective date of this section. The commission shall hold meetings at the call of the chairperson. Meetings shall be held at least quarterly. Four members of the commission shall constitute a quorum. An affirmative vote by 4 members is necessary for any action by the commission.

IV. Members shall serve without compensation from the commission, except for reimbursement of such incidental expenses determined by the commission to be necessary which are incurred while performing commission business.

Amend RSA 10:9, III as inserted by section of the bill by replacing it with the following:

III. The coordinator shall be entitled to:

(a) Such compensation as established by the commission subject to approval by the fiscal committee of the general court; and

(b) Payment for such other necessary expenses incurred while actually engaged in the performance of her or his duties under this subdivision.

Amend RSA 10:10 as inserted by section 1 of the bill by replacing it with the following:

10:10 Reports. The commission shall make its first report no later than September 1, 2018, and every 6 months thereafter or more frequently as deemed necessary by the commission, to each of the appointing authorities under RSA 10:5 and to the capital budget overview committee under RSA 17-J. The initial report shall include a progress report of the commission's work and any proposals for legislation deemed necessary by the commission.

The signatures below attest to the authenticity of this Report on HB 340, relative to the sale of the Laconia state school.

Conferees on the Part of the Senate
Sen. Morse, Dist. 22
Sen. French, Dist. 7
Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House
Rep. Chandler, Carr. 1
Rep. J. Graham, Hills. 7
Rep. L. Ober, Hills. 37
Rep. Jack, Hills. 36

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017
2017-2308-CofC
03/05

Committee of Conference Report on HB 364, relative to accidents involving youth operators of motor vehicles.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

1 New Subparagraph; Youth Operators' Licenses; Suspension Following Accident. Amend RSA 263:14, III by inserting after subparagraph (e) the following new subparagraph:

(f) The director, after a hearing, may suspend or revoke a youth operator's license upon receipt of proper evidence or information that the holder was involved in an accident resulting in death or serious bodily injury while the youth operator was operating a motor vehicle in violation of any prohibition or restriction in this section. A suspension under this subparagraph may be in effect for up to 12 months while the appropriate law enforcement agency is investigating the accident.

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

The signatures below attest to the authenticity of this Report on HB 364, relative to accidents involving youth operators of motor vehicles.

Conferees on the Part of the Senate
Sen. Birdsell, Dist. 19
Sen. Gannon, Dist. 23
Sen. Watters, Dist. 4

Conferees on the Part of the House
Rep. Steven Smith, Sull. 11
Rep. T. Walsh, Merr. 24
Rep. Horn, Merr. 2
Rep. Sykes, Graf. 13

The question is on the adoption of the Committee of Conference Report. Adopted.

June 15, 2017
2017-2367-CofC
05/04

Committee of Conference Report on HB 371-LOCAL, relative to bond requirements for public works contracts.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend section 1 of the bill by replacing it with the following:

1 Liens for Labor and Materials; Public Works; Bond Required. Amend RSA 447:16 to read as follows:

447:16 Bond Required. Officers, public boards, agents or other persons who contract in behalf of the state or any political subdivision thereof for the construction, repair or rebuilding of public buildings, public highways, bridges or other public works shall if said contract involves an expenditure of [~~\$35,000~~] ***\$75,000 in behalf of the state or \$125,000 in behalf of a political subdivision***, and may if it involves an expenditure of less amount, obtain as a condition precedent to the execution of the contract, sufficient security, by bond or otherwise, in an amount equal to at least 100 percent of the contract price, or of the estimated cost of the work if no aggregate price is agreed upon, conditioned upon the payment by the contractors and subcontractors for all labor performed or furnished, for all equipment hired, including trucks, for all material used and for fuels, lubricants, power, tools, hardware and supplies purchased by said principal and used in carrying out said contract, and for labor and parts furnished upon the order of said contractor for the repair of equipment used in carrying out said contract.

The signatures below attest to the authenticity of this Report on HB 371-LOCAL, relative to bond requirements for public works contracts.

Conferees on the Part of the Senate
Sen. Birdsell, Dist. 19
Sen. Bradley, Dist. 3
Sen. Watters, Dist. 4

Conferees on the Part of the House
Rep. Chandler, Carr. 1
Rep. McConkey, Carr. 3
Rep. J. Graham, Hills. 7
Rep. Ebel, Merr. 5

2017-2367-CofC

AMENDED ANALYSIS

This bill increases the bond requirement for public works contracts entered into in behalf of the state and political subdivisions.

The question is on the adoption of the Committee of Conference Report. Adopted.

Senator Kahn is in opposition to the adoption of the Committee Conference Report on HB 371-L.

June 8, 2017
2017-2191-CofC
03/04

Committee of Conference Report on HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Restoration of License; Hearing. Amend RSA 265-A:36-a to read as follows:

265-A:36-a Department of Safety Authority to Order Ignition Interlock Device Installation or Enhanced Technology Ignition Interlock Device. The commissioner of safety may require an administrative hearing

[prior to the restoration of the license or driving privilege of] **for** a person whose license or driving privilege was revoked or suspended **pursuant to RSA 262:19 or RSA 630:2, III, where alcohol was involved, or** as the result of a conviction of any offense under RSA 265-A:2, RSA 265-A:3, RSA 265:79-a where alcohol was involved, [RSA 262:19;] or RSA 630:3, II, and, upon a finding that the safety of the person and of other users of the highways would be enhanced thereby, may order the person, as a condition of restoration of his or her license or driving privilege, to install an ignition interlock device or enhanced technology ignition interlock device in any vehicle registered to that person or used by that person, for not less than 12 months nor more than 2 years, subject to the same conditions and prohibitions as if the interlock was ordered by a court under the provisions of this subdivision. **Where possible, the hearing shall be conducted prior to the restoration of the license or driving privilege, although such restoration shall not prevent the commissioner from requiring the hearing.**

The signatures below attest to the authenticity of this Report on HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol.

Conferees on the Part of the Senate
Sen. Carson, Dist. 14
Sen. French, Dist. 7
Sen. Lasky, Dist. 13

Conferees on the Part of the House
Rep. Sapareto, Rock. 6
Rep. Welch, Rock. 13
Rep. Fields, Belk. 4
Rep. O'Leary, Hills. 13

The question is on the adoption of the Committee of Conference Report. Adopted.

June 8, 2017
2017-2190-CofC
03/04

Committee of Conference Report on HB 448, relative to certain ignition interlock violations.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Restoration of License; Hearing. Amend RSA 265-A:36-a to read as follows:

265-A:36-a Department of Safety Authority to Order Ignition Interlock Device Installation or Enhanced Technology Ignition Interlock Device. The commissioner of safety may require an administrative hearing [prior to the restoration of the license or driving privilege of] **for** a person whose license or driving privilege was revoked or suspended **pursuant to RSA 262:19 or RSA 630:2, III, where alcohol was involved, or** as the result of a conviction of any offense under RSA 265-A:2, RSA 265-A:3, RSA 265:79-a where alcohol was involved, [RSA 262:19;] or RSA 630:3, II, and, upon a finding that the safety of the person and of other users of the highways would be enhanced thereby, may order the person, as a condition of restoration of his or her license or driving privilege, to install an ignition interlock device or enhanced technology ignition interlock device in any vehicle registered to that person or used by that person, for not less than 12 months nor more than 2 years, subject to the same conditions and prohibitions as if the interlock was ordered by a court under the provisions of this subdivision. **Where possible, the hearing shall be conducted prior to the restoration of the license or driving privilege, although such restoration shall not prevent the commissioner from requiring the hearing.**

The signatures below attest to the authenticity of this Report on HB 448, relative to certain ignition interlock violations.

Conferees on the Part of the Senate
Sen. Carson, Dist. 14
Sen. French, Dist. 7
Sen. Lasky, Dist. 13

Conferees on the Part of the House
Rep. Sapareto, Rock. 6
Rep. Welch, Rock. 13
Rep. Fields, Belk. 4
Rep. O'Leary, Hills. 13

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017
 2017-2317-CofC
 04/05

Committee of Conference Report on HB 556, requiring schools to post the state telephone numbers to report child abuse.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 189:13-a, V as inserted by section 2 of the bill by replacing it with the following:

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy may deny a selected applicant a final offer of employment if such person has been convicted of any crime, ***misdemeanor or felony***, in addition to those listed above. The governing body of a school district, chartered public school, or public academy ~~may~~ ***shall*** adopt a policy ***relative to hiring practices based on the results of the criminal history records check and report of misdemeanors and felonies received under paragraph II. Such policy may include language*** stating that any person who has been convicted of ***any misdemeanor, or any of a list of misdemeanors, may not be hired. Such policy may also include language stating that any person who has been convicted of*** any felony, or any of a list of felonies, shall not be hired.

Amend RSA 189:13-a, IX(b) as inserted by section 2 of the bill by replacing it with the following:

(b) ~~[Student teachers and student interns shall submit a criminal history records check upon enrollment in a teacher preparation program, but shall not be required to submit additional criminal history records checks if the student teacher or student intern maintains continuous enrollment in the teacher preparation program].~~ ***Upon enrollment in an educator preparation program at an institution of higher education, a candidate shall submit to a criminal history records check. The institution of higher education in which the candidate is enrolled shall conduct the criminal history records check. Upon placement of a candidate as a student teacher, the receiving school administrative unit, school district, or chartered public school shall conduct another criminal history records check of the candidate and shall follow the same procedures for assessing the candidate's criminal history background as for applicants for employment. The governing body of the institution of higher education may adopt a policy relative to how often a candidate shall submit to a criminal history records check. In this subparagraph, "candidate" shall mean a student who is enrolled in an educator preparation program at an institution of higher education in New Hampshire.***

The signatures below attest to the authenticity of this Report on HB 556, requiring schools to post the state telephone numbers to report child abuse.

Conferees on the Part of the Senate
 Sen. Reagan, Dist. 17
 Sen. Ward, Dist. 8
 Sen. Kahn, Dist. 10

Conferees on the Part of the House
 Rep. Ladd, Graf. 4
 Rep. T. Wolf, Hills. 7
 Rep. M. Moffett, Merr. 9
 Rep. Heath, Hills. 14

2017-2317-CofC

AMENDED ANALYSIS

This bill requires each school and chartered public school to post a sign containing information on how to report child abuse or neglect to the division for children, youth, and families. The bill also amends the requirements for criminal history records checks of school employees, volunteers, and other educational staff.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017
2017-2291-CofC
10/05

Committee of Conference Report on HB 575-FN, relative to the certification of acupuncture detoxification specialists.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and
That the Senate recede from its position in adopting its amendment to the bill, and
That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on HB 575-FN, relative to the certification of acupuncture detoxification specialists.

Conferees on the Part of the Senate
Sen. Carson, Dist. 14
Sen. Reagan, Dist. 17
Sen. Soucy, Dist. 18

Conferees on the Part of the House
Rep. Hansen, Hills. 22
Rep. Campion, Graf. 12
Rep. Proulx, Hills. 44
Rep. Gagnon, Sull. 5

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
2017-2337-CofC
08/10

Committee of Conference Report on HB 580-FN-A, regulating online fantasy sports contests.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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 New Chapter; Fantasy Sports Contests. Amend RSA by inserting after chapter 287-G the following new chapter:

CHAPTER 287-H FANTASY SPORTS CONTESTS

287-H:1 Definitions. In this chapter:

I. “Beginner” means a fantasy sports contest player who has entered fewer than 51 contests offered by a single fantasy sports contest operator and who does not otherwise meet the definition of highly-experienced player.

II. "Commission" means the New Hampshire lottery commission.

III. "Entry fee" means cash or cash equivalent that is required to be paid by a fantasy sports contest player to a fantasy sports contest operator to participate in a fantasy sports contest.

IV. "Fantasy sports contest" means a fantasy or simulated game or contest 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.

V. "Fantasy sports contest operator" means a person that offers fantasy sports contests with an entry fee for a cash prize to the general public.

VI. "Fantasy sports contest player" means a person who participates in a fantasy sports contest offered by a fantasy sports contest operator.

VII.(a) "Highly experienced player" means a person who has either:

(1) Entered more than 1,000 fantasy contests offered by a single fantasy sports contest operator; or

(2) Won more than 3 fantasy sports contest prizes valued at \$1,000 or more from a single fantasy sports contest operator.

(b) Upon making a determination that a player is a highly experienced player, the fantasy sports contest operator shall continue to classify the player as a highly experienced player indefinitely.

VIII. "Script" means a list of commands that a computer program can execute to automate processes with respect to a fantasy sports contest.

287-H:2 Registration with the Commission.

I. No fantasy sports contest operator shall offer any fantasy sports contests with an entry fee in this state without first being registered with the commission. However, a fantasy sports contest operator that offered fantasy sports contests in this state prior to the effective date of this chapter may continue to offer fantasy sports contests with an entry fee in this state, provided such operator files an application for registration with the commission within 60 days of the application's availability, and may continue to offer fantasy sports contests until such application for registration has been approved or denied.

II. Before obtaining a registration to offer fantasy sports contests in this state, a fantasy sports contest operator shall be authorized to transact business in this state.

III. An application for registration pursuant to this section shall include the following information:

(a) The name of the applicant;

(b) The location of the applicant's principal place of business;

(c) The place where and the date when the applicant was legally established and the form of its organization;

(d) The names and addresses of all principal salaried executive officers;

(e) The name and address of any shareholder holding 5 percent or more of the equity interests of the applicant;

(f) The applicant's criminal record, if any, or, if the applicant is a business entity, the criminal records, if any, of all principal salaried executive officers; and

(g) Information sufficient to show that the applicant is in good standing with the department of revenue administration.

VI. The commission shall adopt rules under RSA 541-A implementing the provisions of this chapter, which shall include the adoption of an application form for registration. The commission shall not adopt rules limiting the digital platforms offered by registered fantasy sports contest operators, or the type or structure of fantasy sports contests offered by registered fantasy sports contest operators, to the extent that such fantasy sports contests are otherwise offered in a manner consistent with this chapter.

287-H:3 Consumer Protection.

I. As a condition of registration, a fantasy sports contest operator shall submit evidence satisfactory to the commission that the operator has established and shall implement commercially reasonable procedures for fantasy sports contests with an entry fee that:

(a) Prevent employees of the fantasy sports contest operator, and relatives living in the same household as such employees, from competing in any fantasy sports contest offered by any fantasy sports contest operator in which the operator offers a prize to the general public;

(b) Prevent sharing of confidential information that could affect such fantasy sports contest play with third parties until the information is made publicly available;

(c) Prevent the fantasy sports contest operator from participating in such fantasy sports contest he or she offers;

(d) Provide that no winning outcome is based on the score, point spread, or any performance of any single actual sports team or combination of such teams or solely on any single performance of an individual athlete or participant in any single actual sporting event;

(e) Prohibit the following persons from participating in any fantasy sports contest:

(1) Athletes and individuals who participate or officiate in a game or competition that is the subject of the fantasy sports contest;

(2) Any sports agent, team employee, referee, or league official associated with a sport or athletic event that is the subject of the fantasy sports contest.

(f) Verify that a fantasy sports contest player in such a fantasy sports contest is 18 years of age or older;

(g) Provide fantasy sports contest players with access to information on responsible play;

(h) Provide fantasy sports contest players with access to information on seeking assistance for compulsive behavior;

(i) Provide fantasy sports contest players with access to the fantasy sports contest player's play history and account details;

(j) Allow individuals to restrict themselves from entering such a fantasy sports contest upon request and provide reasonable steps to prevent the person from entering such fantasy sports contests offered by the fantasy sports contest operator;

(k) Disclose the number of entries that a fantasy sports contest player may submit to each such fantasy sports contest and provide reasonable steps to prevent players from submitting more than the allowable number; and

(l) Take reasonable steps to not advertise or run promotional activities at elementary or secondary schools or on college campuses.

II. The information required to be submitted pursuant to paragraph I or paragraph IV shall be exempt from disclosure pursuant to RSA 91-A:5, IV.

III. A fantasy sports contest operator shall not offer fantasy sports contests based on the performances of participants in collegiate, high school, or youth athletic events.

IV. A fantasy sports contest operator offering fantasy sports contests with an entry fee in this state shall contract with a third party to annually perform an independent audit to confirm compliance with the standards established by the American Institute of Certified Public Accountants, and submit the results of such audit to the commission;

V. A fantasy sports contest operator shall not offer a fantasy sports contest to the general public that does not establish and make known all prizes and awards offered to winning participants in advance of the game or contest.

VI. A fantasy sports contest operator offering fantasy sports contests with an entry fee in this state shall not target minors or individuals who have requested a restriction.

VII. A fantasy sports contest operator offering fantasy sports contests with an entry fee in this state shall:

(a) Prohibit the use of scripts in fantasy sports contests that give any fantasy sports contest player an unfair advantage over other fantasy sports contest players;

(b) Monitor fantasy sports contests to detect the use of unauthorized scripts and restrict fantasy sports contest players found to have used such scripts from participation in further fantasy sports contests;

(c) Make all authorized scripts readily available to all fantasy sports contest players; provided, that a licensed operator shall clearly and conspicuously publish its rules on what types of scripts may be authorized in a fantasy sports contest.

VIII. Funds in fantasy sports contest operator consumer accounts shall be:

(a) Held in trust for the consumer in a segregated account, in which case the fantasy sports contest operator shall segregate fantasy sports contest player funds from operational funds or maintain a reserve that exceeds the amount of player funds on deposit, which reserve shall not be used for operational activities. These reserve funds may take the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof, in the amount that shall exceed the total balances of the fantasy sports contest players' accounts; or

(b) Held in a special purpose account that is maintained and controlled by a properly constituted corporate entity that is not the fantasy sports contest operator and whose governing board includes one or more corporate directors who are independent of the fantasy sports contest operator and of any corporation related to or controlled by the fantasy sports contest operator. Said corporate entity shall require a unanimous vote of all corporate directors to file bankruptcy and shall have articles of incorporation that prohibit commingling of funds with those of the fantasy sports contest operator except as necessary to reconcile the accounts of fantasy sports contest players with sums owed by those fantasy sports contest players to the fantasy sports contest operator. Said special purpose corporate entity shall also be:

(1) Restricted from incurring debt other than to fantasy sports contest players pursuant to the rules that govern their accounts with fantasy sports contest operators;

(2) Restricted from taking on obligations of the fantasy sports contest operator other than obligations to fantasy sports contest players pursuant to the rules that govern their accounts with fantasy sports contest operators; and

(3) Prohibited from dissolving, merging, or consolidating with another company, other than a special purpose corporate entity established by another fantasy sports contest operator that meets the requirements of this section, while there are unsatisfied obligations to fantasy sports contest players.

IX. Fantasy sports contest operators shall clearly and conspicuously identify highly experienced players in fantasy sports contests by a symbol attached to a player's username, or by other easily visible means. Fantasy sports contest operators shall offer some fantasy sports contests that are open exclusively to beginner players and that exclude highly experienced players.

287-H:4 Penalty. Any person who violates any provision of this chapter shall be subject to a civil penalty of not more than \$1,000 for each violation, not to exceed \$5,000 for violations arising out of the same transaction or occurrence, which shall accrue to the state and may be recovered in a civil action brought by the commission.

4 Effective Date. This act shall take effect upon its passage.

The signatures below attest to the authenticity of this Report on HB 580-FN-A, regulating online fantasy sports contests.

Conferees on the Part of the Senate
Sen. Sanborn, Dist. 9
Sen. Bradley, Dist. 3
Sen. Feltes, Dist. 15

Conferees on the Part of the House
Rep. Azarian, Rock. 8
Rep. Abrami, Rock. 19
Rep. Ohm, Hills. 36
Rep. Ames, Ches. 9

2017-2337-CofC

AMENDED ANALYSIS

This bill allows participation in fantasy sports contests for money. This bill also requires fantasy sports contest operators to register with the lottery commission.

The question is on the adoption of the Committee of Conference Report. Adopted.

Senators Kahn and Sanborn are in opposition to the adoption of the Committee Conference Report on HB 580-FN-A.

June 14, 2017
2017-2330-CofC
04/10

Committee of Conference Report on HB 620, relative to compliance with state and federal education mandates.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

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

1 Compliance With Federal Provisions. Amend RSA 186:6 to read as follows:

186:6 Compliance With Federal Provisions.

I. The state board may also make the regulations **or rules** necessary to enable the state to comply with the provisions of any law of the United States intended to promote vocational or other education, to abolish illiteracy and Americanize immigrants, to equalize educational opportunities, **to provide special education to children with disabilities**, to promote physical health and recreation, and to provide an adequate supply of trained teachers. **Proposed regulations or rules designed to implement federal law may exceed the minimum requirements of federal law only if the proposed regulation or rule does not impose or necessitate unreimbursed expenditures or administrative burdens on the local school district.**

II. This section shall only apply to regulations or rules adopted on or after the effective date of this section.

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

The signatures below attest to the authenticity of this Report on HB 620, relative to compliance with state and federal education mandates.

Conferees on the Part of the Senate
Sen. Reagan, Dist. 17
Sen. Ward, Dist. 8
Sen. Watters, Dist. 4

Conferees on the Part of the House
Rep. Ladd, Graf. 4
Rep. T. Wolf, Hills. 7
Rep. Weyler, Rock. 13
Rep. Shaw, Hills. 16

2017-2330-CofC

AMENDED ANALYSIS

This bill allows regulations or rules designed to implement federal law to exceed the minimum requirements of federal law only if such regulation or rule does not impose or necessitate unreimbursed expenditures or administrative burdens on the local school district.

The question is on the adoption of the Committee of Conference Report. Failed.

June 14, 2017
2017-2334-CofC
10/04

Committee of Conference Report on HB 654-FN, establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 5 with the following:

6 New Paragraph; Housing Standards; Definition Added. Amend RSA 48-A:1 by inserting after paragraph IV the following new paragraph:

V. "Vacation rental" or "short-term rental" means any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than 30 consecutive days. For purposes of this chapter, vacation rental and short-term rental are residential uses of the property and do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use.

7 Housing Standards; Grant of Power. Amend RSA 48-A:2 to read as follows:

48-A:2 Grant of Power. Whenever the governing body of any municipality finds that there exists in such municipality dwellings which are unfit for human habitation due to dilapidation, dangerous defects which are likely to result in fire, accidents, or other calamities, unhealthful lack of ventilation or sanitary facilities, or due to other unhealthy or hazardous or dilapidated conditions, including those set forth in RSA 48-A:7, power is hereby conferred upon such municipality to adopt ordinances, codes, or bylaws to cause the repair, closing, or demolition or removal of such dwellings in the manner provided in this chapter. Any municipality which adopts such a code or ordinance which has provisions for appeal, pursuant to this chapter, shall be exempt from any provisions of RSA 48-A which are in conflict with the adopted ordinance. ***The power conferred by this section shall not be used to impose any additional ordinances, codes, bylaws, licenses, certificates, or other restrictions on dwellings used as a vacation rental or short-term rental.***

8 Standards; Ordinances, Codes, or Bylaws; Limits for Vacation or Short-term Rentals. Amend the introductory paragraph of RSA 48-A:8 to read as follows:

48-A:8 Additional Provisions of Ordinances, Codes, or Bylaws. An ordinance, code or bylaw adopted by the governing body of the municipality may authorize the public agency and its delegated officers to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter [including], ***provided that such powers shall not be used to impose any additional restrictions on dwellings used as a vacation rental or short-term rental. Such powers shall include*** the following powers in addition to others herein granted:

9 Effective Date.

I. Sections 6-8 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect upon its passage.

The signatures below attest to the authenticity of this Report on HB 654-FN, establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals.

Conferees on the Part of the Senate
Sen. Sanborn, Dist. 9
Sen. Bradley, Dist. 3
Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House
Rep. Hunt, Ches. 11
Rep. Biggie, Hills. 23
Rep. Butler, Carr. 7
Rep. Ohm, Hills. 36

2017-2334-CofC

AMENDED ANALYSIS

This bill establishes a committee to study the regulation and taxation of vacation rentals and short-term rentals. This bill also limits the authority to regulate vacation and short-term rentals under the housing standards law.

The question is on the adoption of the Committee of Conference Report. Adopted.

Without objection, the Clerk is instructed to enter all House Messages into the Senate Journal.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Senate Bill(s):

SB 35, relative to the guidelines of the legislative ethics committee.

SB 43, relative to nonacademic surveys, questionnaires, or evaluations administered by a public school to its students.

SB 78, relative to confidentiality of state tax records in state administrative or judicial proceedings.

SB 89, relative to the relationship between a franchisor and a franchisee and relative to the use of drones.

SB 155, relative to implementation of the Medicaid managed care program.

HOUSE MESSAGE

The House of Representatives refuses to adopt the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 134, relative to electronic tolling at certain tolling facilities and relative to optional anonymous transponders.

COMMITTEE OF CONFERENCE REPORTS

June 14, 2017
2017-2349-CofC
05/04

Committee of Conference Report on SB 35, relative to the guidelines of the legislative ethics committee.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 3 with the following:

3 Legislative Ethics Guidelines; Legislator's Non-Financial Personal Interests Disclosure Form. Upon the effective date of this act, the legislator's non-financial personal interests disclosure form provided in section 5 of the legislative ethics guidelines shall be amended to read as follows:

GENERAL DISCLOSURE OF
NON-FINANCIAL PERSONAL INTERESTS FORM

A "non-financial personal interest" exists where a legislator or household member ~~[is a member of a public body, or]~~ has a responsibility for the welfare of an organization~~[- A legislator or household member has a responsibility for the welfare of an organization when the legislator or household member holds]~~ **by virtue of holding** a position with a fiduciary responsibility, such as a board member, trustee, or director.

Description of Non-Financial Personal Interest

Identify and describe below the non-financial personal interest you or a household member may have. A "household member" is any person living in the same domicile as you who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

Please identify each "non-financial personal interest."

NAME OF LEGISLATOR:

LIST ~~[PUBLIC BODIES AND/OR]~~ ORGANIZATIONS AND YOUR POSITION:

NAME OF HOUSEHOLD MEMBER AND RELATIONSHIP TO YOU:

LIST ~~[PUBLIC BODIES AND/OR]~~ ORGANIZATIONS AND POSITION:

Signature

Date

Printed Name of Legislator

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 6:

4 Legislative Ethics Guidelines; Conflict of Interest Procedure. Upon the effective date of this act, the conflict of interest procedures provided in section 6 of the legislative ethics guidelines shall be amended to read as follows:

6 CONFLICT OF INTEREST PROCEDURE.

I. No legislator having a conflict of interest shall participate in any official activity associated with the matter without complying with the procedure set forth in this section.

~~II. A declaration of intent form shall be filed by a legislator whenever a financial interest could reasonably be expected to produce a materially greater benefit or detriment to the legislator or the legislator's household member than would accrue to any other member of a business, profession, occupation, or other group listed by the legislator in the Financial Disclosure Form.~~

~~III. A declaration of intent form shall also be filed whenever a legislator or a legislator's household member has a non-financial personal interest distinct from and greater than the public at large in the outcome of a matter that is the subject of official activity not disclosed by the legislator in the General Disclosure of NonFinancial Personal Interests Form.~~

~~IV. In such cases, the legislator shall either:~~

~~(a) Declare that the legislator will not participate in any official activity associated with the issue; or~~

~~(b) Declare that the legislator intends to participate in the official activity and provide a description of the conflict of interest.]~~

II. No declaration of intent form shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator or the legislator's household member as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's or household member's membership is made in the Financial Disclosure Form pursuant to section 5 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to those generally recognized and of a substantial size.

III. No declaration of intent form shall be required if a legislator discloses a non-financial personal interest of the legislator or legislator's household member on the General Disclosure of Non-Financial Personal Interests Form.

IV. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraphs II and III are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):

(a) Declare that the legislator will not participate in any official activity associated with the issue; or

(b) Declare that the legislator intends to participate in the official activity and provide a description of the conflict of interest.

V. The declaration required in subparagraphs IV (a) and (b) of this procedure shall be publicly announced prior to any participation by the legislator in the official activity in accordance with section 7 of these Guidelines. The declaration of intent form shall be filed with the clerk of the member's respective body prior to the time of the official activity and be made available for public inspection during normal business hours.

5 Legislative Ethics Guidelines; Declaration of Intent. Upon the effective date of this act, subparagraph 2) preceding the declaration of intent form provided in the legislative ethics guidelines shall be amended to read as follows:

2) A legislator or a legislator's household member has a non-financial personal interest distinct from and greater than the public at large in the outcome of a matter that is the subject of official activity [~~not disclosed by the legislator~~] ***and the legislator has not made this disclosure*** in the General Disclosure of Non-Financial Personal Interests Form.

The signatures below attest to the authenticity of this Report on SB 35, relative to the guidelines of the legislative ethics committee.

Conferees on the Part of the Senate
 Sen. Avar, Dist. 12
 Sen. Sanborn, Dist. 9
 Sen. Woodburn, Dist. 1

Conferees on the Part of the House
 Rep. Packard, Rock. 5
 Rep. Hoelzel, Rock. 3
 Rep. Schuett, Merr. 20
 Rep. Nigrello, Rock. 16

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
 2017-2325-CofC
 04/03

Committee of Conference Report on SB 43, relative to nonacademic surveys administered by a public school to its students.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and
 That the House recede from its position in adopting its amendment to the bill, and
 That the Senate and House each pass the bill as passed by the Senate.

The signatures below attest to the authenticity of this Report on SB 43, relative to nonacademic surveys administered by a public school to its students.

Conferees on the Part of the Senate
 Sen. Reagan, Dist. 17
 Sen. Avar, Dist. 12
 Sen. Bradley, Dist. 3

Conferees on the Part of the House
 Rep. Cordelli, Carr. 4
 Rep. Ladd, Graf. 4
 Rep. V. Sullivan, Hills. 16
 Rep. Hinch, Hills. 21

2017-2325-CofC

AMENDED ANALYSIS

This bill provides that no student shall be required to volunteer or submit to a non-academic survey or questionnaire without written consent of a parent or legal guardian. The bill also creates an exception to this requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention.

The question is on the adoption of the Committee of Conference Report.

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

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

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

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

June 14, 2017
 2017-2344-CofC
 10/04

Committee of Conference Report on SB 78, requiring audit records related to payment of business profits tax to be confidential.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and
 That the House recede from its position in adopting its amendment to the bill, and
 That the Senate and House adopt the following new amendment to the bill as passed by the Senate, and pass the bill as so amended:

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

1 New Paragraphs; Business Profits Tax; Taxpayer Records. Amend RSA 77-A:11 by inserting after paragraph III the following new paragraphs:

IV. Any taxpayer records obtained or inspected by the commissioner or his or her agents for the purpose of conducting an audit of the taxpayer's compliance or liability under this chapter shall be kept confidential and not disclosed for any purpose unless required by law.

V. In any judicial proceeding under this chapter, all taxpayer records and related pleadings shall remain sealed and not disclosed to any non-party to the proceeding for any purpose unless required by law.

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

The signatures below attest to the authenticity of this Report on SB 78, requiring audit records related to payment of business profits tax to be confidential.

Conferees on the Part of the Senate
Sen. Sanborn, Dist. 9
Sen. Giuda, Dist. 2
Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House
Rep. Abrami, Rock. 19
Rep. Lang, Belk. 4
Rep. Burns, Hills. 23
Rep. Walz, Merr. 23

2017-2344-CofC

AMENDED ANALYSIS

This bill requires that business profits tax taxpayer records obtained by the commissioner of revenue administration or the commissioner's agents for an audit of the taxpayer, or used in a judicial proceeding, shall be confidential and not disclosed.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017
2017-2295-CofC
06/04

Committee of Conference Report on SB 89, relative to the relationship between a franchisor and a franchisee.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the Senate.

The signatures below attest to the authenticity of this Report on SB 89, relative to the relationship between a franchisor and a franchisee.

Conferees on the Part of the Senate
Sen. Innis, Dist. 24
Sen. Carson, Dist. 14
Sen. Lasky, Dist. 13

Conferees on the Part of the House
Rep. Hunt, Ches. 11
Rep. Biggie, Hills. 23
Rep. Butler, Carr. 7
Rep. Flanders, Belk. 3

The question is on the adoption of the Committee of Conference Report. Adopted.

June 14, 2017
2017-2346-CofC
01/03

Committee of Conference Report on SB 155, relative to implementation of the Medicaid managed care program.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Medicaid Managed Care Program; Implementation.

I. Pending a review of the New Hampshire partnership for long-term care plan by the New Hampshire Association of Counties, in consultation with the county-state finance commission, to conclude no later than July 1, 2018, and notwithstanding any other provision of law to the contrary, 2 of the remaining unimplemented phases of the Medicaid managed care program, established in RSA 126-A:5, XIX, specifically nursing facility services and services provided under the choices for independence waiver, issued by the Centers for Medicare and Medicaid Services (CMS) under 42 U.S.C. section 1396n(c), shall be incorporated into the

Medicaid managed care delivery system beginning on July 1, 2019. The remaining provisions of step 2 of the Medicaid managed care program including services provided under the developmental disability waiver shall not be implemented before July 1, 2019.

II. The commissioner shall re-procure contracts with vendors to administer the Medicaid managed care program, with a program start date of July 1, 2019.

The signatures below attest to the authenticity of this Report on SB 155, relative to implementation of the Medicaid managed care program.

Conferees on the Part of the Senate
Sen. Bradley, Dist. 3
Sen. Gray, Dist. 6
Sen. Hennessey, Dist. 5

Conferees on the Part of the House
Rep. Kotowski, Merr. 24
Rep. Byron, Hills. 20
Rep. LeBrun, Hills. 32
Rep. J. MacKay, Merr. 14

The question is on the adoption of the Committee of Conference Report. Adopted.

ENROLLED BILL AMENDMENT

Senator Avard moved adoption of the Enrolled Bill Amendment.

June 15, 2017
2017-2370-EBA
06/04

Enrolled Bill Amendment to SB 66-FN

The Committee on Enrolled Bills to which was referred SB 66-FN

AN ACT including a fetus in the definition of "another" for purposes of certain criminal offenses.

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 66-FN

This enrolled bill amendment amends the introductory paragraph in RSA 630:1-a, V(a) to comply with the intent of the legislature.

Enrolled Bill Amendment to SB 66-FN

Amend the introductory paragraph in RSA 630:1-a, V(a) as inserted by section 2 of the bill by replacing it with the following:

V.(a) Nothing in [~~this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4~~] **paragraph IV** shall apply to:

The question is on the adoption of the Enrolled Bill Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Giuda.

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.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Senate Bill(s):

SB 44, prohibiting the state from requiring implementation of common core standards and relative to the amendment or approval of academic standards.

SB 60, relative to chemical analyses of controlled drugs.

SB 121, establishing a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency.

SB 191-FN, establishing keno and relative to funding for kindergarten.

June 14, 2017

2017-2328-CofC

04/05

Committee of Conference Report on SB 44, prohibiting the state from requiring implementation of common core standards.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

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

The signatures below attest to the authenticity of this Report on SB 44, prohibiting the state from requiring implementation of common core standards.

Conferees on the Part of the Senate

Sen. Reagan, Dist. 17

Sen. Avard, Dist. 12

Sen. Kahn, Dist. 10

Conferees on the Part of the House

Rep. Ladd, Graf. 4

Rep. M. Moffett, Merr. 9

Rep. Cordelli, Carr. 4

Rep. Myler, Merr. 10

2017-2328-CofC

AMENDED ANALYSIS

This bill prohibits the department of education and the state board of education from requiring the implementation of the common core standards in any school or school district in this state. The bill also prohibits the state board of education from amending any existing academic standards or approving any new academic standards without prior review and recommendation of the legislative oversight committee.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 13, 2017

2017-2304-CofC

01/03

Committee of Conference Report on SB 60, relative to chemical analyses of controlled drugs.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as passed by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Controlled Drug Act; Chemical Analysis. Amend RSA 318-B:26-a, I to read as follows:

I. Upon the request of the attorney general, a county attorney or any law enforcement agency, the laboratory employee performing the chemical analysis shall prepare a certificate. The employee shall sign the certificate ~~[under oath]~~ ***subject to the penalties under this paragraph*** and shall include in the certificate an attestation as to the result of the analysis. The presentation of this certificate to a court by any party to a proceeding shall be evidence that all of the requirements and provisions of this section have been complied with. This certificate shall ~~[be sworn to before a notary public or other person empowered by law to take oaths and shall]~~ contain a statement establishing the following: the type of analysis performed; the result achieved; any conclusions reached based upon that result; that the subscriber is the person who performed the analysis and made the conclusions; the subscriber's training or experience to perform the analysis; and the nature and condition of the equipment used. When properly executed, the certificate shall, subject to paragraph II of this section and notwithstanding any other provision of law, be admissible evidence of the composition, quality, and quantity of the substance submitted to the laboratory for analysis, and the court shall take judicial notice

of the signature of the person performing the analysis and of the fact that he *or she* is that person. ***A person shall be guilty of a class B felony if he or she knowingly makes any false entry in any certificate required under this paragraph.***

The signatures below attest to the authenticity of this Report on SB 60, relative to chemical analyses of controlled drugs.

Conferees on the Part of the Senate
Sen. Gray, Dist. 6
Sen. Avard, Dist. 12
Sen. D'Allesandro, Dist. 20

Conferees on the Part of the House
Rep. Hagan, Rock. 4
Rep. Berch, Ches. 1
Rep. Hopper, Hills. 2
Rep. R. Graham, Straf. 1

2017-2304-CofC

AMENDED ANALYSIS

This bill establishes a criminal penalty for knowingly making a false entry in a certificate of the results of chemical analyses of controlled drugs.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 15, 2017
2017-2364-CofC
06/04

Committee of Conference Report on SB 121, establishing a commission to determine if the department of environmental services should take over the MS-4 permit system from the Environmental Protection Agency.

Recommendation:

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

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

The signatures below attest to the authenticity of this Report on SB 121, establishing a commission to determine if the department of environmental services should take over the MS-4 permit system from the Environmental Protection Agency.

Conferees on the Part of the Senate
Sen. Sanborn, Dist. 9
Sen. Avard, Dist. 12
Sen. Feltes, Dist. 15

Conferees on the Part of the House
Rep. Gould, Hills. 7
Rep. Renzullo, Hills. 37
Rep. Rimol, Rock. 5
Rep. Suzanne Smith, Graf. 8

2017-2364-CofC

AMENDED ANALYSIS

This bill establishes a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency, and if so, to recommend a fee structure that would pay for the department to hire the required number of employees to manage the issuance of permits.

The question is on the adoption of the Committee of Conference Report. Adopted.

June 15, 2017
2017-2369-CofC
04/01

Committee of Conference Report on SB 191-FN, establishing the kindergarten initiative development support grant program.

Recommendation:

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

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 4 with the following:

4 New Section; School Money; Kindergarten Grants. Amend RSA 198 by inserting after section 48-b the following new section:

198:48-c Kindergarten Grants.

I.(a) For fiscal year 2019, in addition to any funds received pursuant to RSA 198:40-a, in the first year that a school district or chartered public school that operates an approved full-day kindergarten program, the commissioner of the department of education shall calculate and distribute a grant of \$1,100 per kindergarten pupil based on the enrollment number of eligible full-day kindergarten pupils on the first day of the school year. The superintendent, or designee, shall certify the enrollment number of kindergarten pupils to the commissioner.

(b) For fiscal year 2019, once pupils enrolled in an approved full-day kindergarten program have been counted in the school district's average daily membership in attendance as defined in RSA 198:38, I, a school district, or a chartered public school based on its kindergarten average daily membership enrollment number, shall receive, in addition to any funds received pursuant to RSA 198:40-a, an additional grant of \$1,100 per kindergarten pupil attending a full-day kindergarten program. The commissioner shall certify the amount of the grant to the state treasurer and direct the payment thereof from the education trust fund established in RSA 198:39 to the school district or chartered public school.

(c) Grants shall be disbursed to a school district pursuant to the distribution schedule in RSA 198:42 and to a chartered public school pursuant to the distribution schedule in RSA 194-B:11, I(c).

(d) The amount necessary to fund the grants under this section is hereby appropriated to the department from the education trust fund. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section.

II. A school district or chartered public school that operates an approved full-day kindergarten program for which it receives funding under this section shall permit a pupil to attend kindergarten for a half-day.

III.(a) For fiscal year 2020 and each fiscal year thereafter, in addition to any funds received pursuant to RSA 198:40-a, the department of education shall distribute a total kindergarten grant, pursuant to RSA 198:40-a, for the remaining 1/2 of each average daily membership not counted under RSA 198:40-a to each school district or chartered public school that operates an approved full-day kindergarten program. If the amount of revenue raised through keno is insufficient to fully fund the distribution of grants under this section, the revenue shall be prorated proportionally based on entitlement among the districts entitled to a grant. The prorated portion of this grant shall not be less than the per pupil amount disbursed under paragraph I(b).

(b) Grants shall be disbursed to a school district pursuant to the distribution schedule in RSA 198:42 and to a chartered public school pursuant to the distribution schedule in RSA 194-B:11, I(c).

(c) The amount necessary to fund the grants under this paragraph is hereby appropriated to the department from the education trust fund. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section.

The signatures below attest to the authenticity of this Report on SB 191-FN, establishing the kindergarten initiative development support grant program.

Conferees on the Part of the Senate

Sen. Reagan, Dist. 17

Sen. Bradley, Dist. 3

Sen. Watters, Dist. 4

Conferees on the Part of the House

Rep. Umberger, Carr. 2

Rep. Ladd, Graf. 4

Rep. V. Sullivan, Hills. 16

Rep. Eaton, Ches. 3

2017-2369-CofC

AMENDED ANALYSIS

This bill establishes keno in New Hampshire and establishes a program to provide grants to kindergarten students.

The question is on the adoption of the Committee of Conference Report.

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

Recess. Out of recess.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Ward, Kahn, Avar, Carson, Reagan, Soucy, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Hennessey, Sanborn, Daniels, Lasky, Feltes, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 15 - Nays: 8. Adopted.

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.

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Feltes: HB 517

Senator Sanborn: HB 25-FN-A, HB 131, HB 144, HB 161-FN, HB 164, HB 215, HB 237, HB 247, HB 258, HB 315, HB 319, HB 340, HB 364, HB 371-L, HB 420-FN, HB 448, HB 517, HB 556, HB 575-FN, HB 580-FN-A, HB 620, HB 654-FN, SB 35, SB 43, SB 44, SB 66-FN, SB 89, SB 121, SB 134, SB 155, SB 191-FN

Senator Woodburn: SB 155

ANNOUNCEMENTS

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I rise for a point of personal privilege. As you know, at the start of this session, we suffered a misfortune that has colored my family's life. I rise to thank all of you who have been supportive with your prayers, your words. I thank in particular the Senator from District 5, who on behalf of the minority party delivered food baskets while my family was camped out at Dartmouth-Hitchcock. I'm eternally grateful for that. We enter a new phase next week in which we are no longer seeing signs of improvement. We now shepherd my spouse to the end of her life through hospice care, and we ask your support and your prayers as we continue to do that. Thank you.

Recess. Out of recess.

SENATE CLERK'S NOTE

Due to uncontrollable circumstances there was a loss in audio transmission in regards to a portion of President Morse's remarks.

PRESIDENT MORSE: I believe we're waiting on LBA and a few others to come up. While we're waiting I'd like to recognize a few staff members who are about to get married this summer. I'm sure they're glad the budget's over because it starts shortly. Jack, if he stays out of trouble and doesn't play hockey for the rest of the week, is getting married next weekend. Josh is here, he's getting married at the end of July. And Bobby's getting married at the end of August. I think we'll stop there, we'll fill out the fall after this, but if anybody wants to join them. But we wish you all the best and we certainly are happy, for all of us, that the session's going to end today, and I think you're going to enjoy your summers, and I certainly know when I texted my daughter that I am looking forward to taking tomorrow off. God knows what would have happened if we didn't...

I think many Senators probably want to recognize their staff, but let me start. I certainly brought in the Senate President's staff this morning, not knowing where this day was going to go. And I wanted to make it perfectly clear to them that the Senate led again, in this State House, and I certainly appreciated everything that they have done for all of you. So with that I'd like to thank the staff on the third floor for all their efforts and for making sure we got through this session with the honor that I believe we started it with. So, thank you very much.

(The Chair recognized Senator Daniels.)

SENATOR DANIELS: Thank you, Mister President. I wanted to wait until we had the LBA staff here. Living with them for the last six weeks, I can't say enough about their dedication to the work for the state, the hours that they put in, and I just wanted to recognize them for truly being a great bunch of professionals and it's something that, having been on Finance now through one of these sessions, you really know that you can't

do the job without them. They were quick on their turnaround and made sure we had the resources that we needed for the next time we met. I know that there was at least one night where someone stayed until like 3 o'clock in the morning, and was there early the next day. So, to all the folks in LBA, thank you so much for a great job and I hope you have a nice, restful summer.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I want to echo the sentiments of Senator Daniels. Listen, no Senator can do his or her job without the support of our staff. Starting with the people that work in our offices, and I couldn't do anything without Sonja who's been with me since time began. But I want to tell you about the legislative budget office and legislative services. I've been around here a long time. I think Michael Kane and his staff and Chris and the rest of them, did a magnificent job. It's so important to all of us to have your support. And there wasn't a day that came and went when I didn't put a call in to 3161 to get the beautiful and talented Pamela. Where's Pamela? Pamela! The beautiful Pamela and asked her for her cookies and her cake but I never got any. But I just, again, can't say thank you loud enough or long enough; and to Legislative Services, just outstanding. Thank you for everything, everything you do. You've been around here a long time. Richie, I've been working on you forever and you're right there for me all the time and everybody. Just wanted to make it quite clear; nobody can do their job without support. You people give us that support and make us better people, make us better legislators and allow us to do our job, and I can't say thank you enough for that. And my last thank you is to the President. I've served with a lot of Presidents. I don't think anybody's done the job any better, and I mean that. Nothing in this life is easy, certainly this is a very, very tough business, but we've had some very difficult times here. We've lost Senators when I've been here and those tragedies struck home and we were able to fight through it and be a better Senate. But again, I can't thank you enough, Chuck, for the work, the support, and everything you've done to keep the Senate the body that it always has been; a quality entity that represents the best in democracy. Thank you.

(The Chair recognized Senator Avard.)

SENATOR AVARD: Thank you, Mister President. Personal privilege. Just real quickly. I know there's a new movie out and it's with Wonder Woman. Well I think they missed the right person for that, because I want to recognize Marie. She takes care of three Senators, she juggles and that's just amazing, and if I should serve again I want her. But sentiments are exactly what the Dean said, that without Marie we couldn't do anything. It's just amazing how she keeps us in line, especially me who has issues. So, I thank Marie for everything that she does.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Personal privilege please. Mister President, there are a number of people here that make us successful and I'd like to recognize Miss Deb Chroniak, she really is my rock. She keeps me on track and that's a hard thing to do, and I can't thank her enough for all the late hours she puts in, the frantic phone calls, everything that she does for me every day. I'd also like to thank Jenny Horgan. She literally got thrown into the deep end of the pool by becoming a secretary for Judiciary, and she did a great job this year and I want to thank her. I'm not done. There is one other person I'd like to thank Mister President, and often times when we thank our staff we tend to overlook him, but I'd personally like to thank our Senate Attorney Mr. Lehman. The amount of work that he does for Senate Judiciary is amazing and we can't do the job we do without him. So I want to thank him for all his work.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. As a freshman Senator I had the early privilege of not having an assistant; that in and of itself was a show. And then you brought forth to me Griffin Roberge. He could have sold tickets at the process we went through to get ourselves arranged, and at one point it finally came to a head and Griffin said, basically, if you touch the schedule again I'll break your arm. So thank you Griffin for putting up with the many travails we've had. You're welcome to break my arm because I wouldn't touch that schedule with a ten foot pole. Thank you.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I think we have to give a great round of applause because all of us love to eat. All the fun is out there, never out here in the Senate, and if it wasn't for Marlene Taylor and Nancy Nolin we would be starving. And it looks so good and it tastes so good and they just do a tremendous job. But I also want to thank the minority staff and recognize Ryan, Laura and Marlene. Thank you for everything that you do for all of us.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much. A lot of the other “thank you’s” go to a great group of people and I just want to thank some of the directors of the different divisions. I saw Dave Alukonis in the back of the room. He’s come in as interim director of OLS. OLS, as long as I’ve been in this building, has done a fantastic job. So thank you OLS for all your hard work. Joyce Phinney, where is Joyce? If she didn’t keep the accounting straight, none of us could be here, so thank you very much for all of your hard work. Scott Rupp, IT, I just had my computer crash yesterday so I’m going off grid, nobody’s going to find me for a long time, I’m going to throw my phone in the lake, but I don’t want it to happen to the computers here so Scott, wherever you are, thank you for, there he is, for your work, too. Doug Dolcino, operations. This place runs smoothly, runs efficiently, and Doug, I’m looking for you too, Doug. I’m sorry, is he here? He’s working, alright. The tours that are given in this building are exemplary and Virginia Drew and Deb Rivers, they do a fantastic job. Dianne, our nurse, I thought we were going to need you today that somebody would pass out from heatstroke. You know I hate to take my jacket off, so I thought it might be me. Thank you for always being on duty. Director of Security, Joe Burke. Director of Security Joe Burke, in this age of terrorism and the threats that we saw, we see every night on our TV to say nothing of what happened to former colleagues of mine in Washington; it is a tough job. Thank you for keeping all of us safe. Thank you for keeping all of these people safe- the important people in this building- great job. Angela moved from the third floor back to the first floor. She had been an institution on the first floor, she’d come to the third floor. Now she’s an institution back on the first floor, and all of the other committee aides that do a great job in always trying to do your best to make us look good. I don’t know how you do that, but you’re always giving 100% effort. So thank you, Angela, and every other committee aide. Speaking of somebody else who always makes us look good are these individuals led by Tammy Wright in the Clerk’s office. We couldn’t do what we do without the very competent work of all of you. God bless you and thank you very much. I love working with Ryan Mahoney and the minority staff. We go down there, there’s always something to eat. I don’t know how Woody’s lost weight. He’s done it somehow, but it’s a great friendship, if you will, that we have even though a lot of times we’re on opposite page on the issues, so that you Ryan and Laura for everything you’ve done. I want to echo Woody’s thanking of Nancy and Marlene for the great food. I’ve gained weight, I don’t know how you haven’t but it’s, you know, you come here on Thursdays and you eat well. Our staff on the third floor: my assistant Kyle, Renata- I saw her here- Griffin, Bobby, Josh, Paige, Rick- we have a great team. A great team that has helped us, has helped the Senate President, and no one more important to that team than Kristy, who has become the best Chief of Staff that we could ever possibly have. And lastly, let me finish research. None of us know anything here, or sometimes we think we do, but it’s usually the Senate Research that sets us straight with some of the historical information that we need and some of the other information that we need. So Theresa, Diana, Patrick- I saw Patrick back here somewhere, there he is. Thank you very much for everything that you do. So, I think in conclusion it’s been a great session and I want to welcome back somebody that probably has the hardest job in this building, and that’s Shannon. Where’s Shannon? There she is. She has to keep track of him. That’s a hard job. So thank you very much Shannon. Thank you all very much, have a great summer, you’re not seeing any of us for a long time.

INTRODUCTION OF GUEST

PRESIDENT MORSE: There are several more Senators that would like to speak but I would like to introduce a guest. Our relationship over the last six months has grown, and that’s with like Senator Bartlett whispering in my ear, never compromise the Senate’s position. But I’m telling you, the leadership of the Governor has been great and I thank him for coming in right now.

GOVERNOR SUNUNU: You guys are thanking your entire staff; I didn’t know you had so much staff. I don’t know how we’re doing it. For what it’s worth- I wasn’t planning on saying anything, but you guys are the volunteers and given what you guys have done- I never had the honor of being a Senator or a House member- but knowing what you have to do for six months for the whole volunteer pay of \$100 a year, it’s incredible. It really is, and not just working with Senator Morse, and Senator Bradley, but really all of you. Trying to be accessible and you’ve all been great, absolutely great to work with. We don’t agree on every issue of course, but you all deserve an absolute round of applause for the tireless work that you do. On behalf of my entire staff, we’ve had an absolute ball working with you. Enjoy the summer, we’ll be here working. You guys know where the office is, but enjoy the summer and we’ll get back at it again soon. So thank you guys very much. Really appreciate it.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: This is my last chance to speak as a newbie, so I really very much echo what everyone else has said about all the wonderful people. Coming from the House, I couldn’t believe that there

were people here to help. But I wanted to mention two people who haven't been mentioned and, well three actually. Jenny and Ryan, who kept my two committees going- okay it's going to be more than three, and Senator Carson who is the chair of one of my committees, and Senator Bradley, I've learned an enormous amount from both of you. And I would like to particularly thank Jessica Bourque, who kept me going every day when, especially at the beginning, I would say, I think I might be too old for this, and she had a good answer every time; no you're not. But I can't remember the bill numbers. That's okay, you know she was great. And my office mate, Senator Feltes, who has given me the support I never could have dreamed of. So thank you to everybody.

(The Chair recognized Senator Innis.)

SENATOR INNIS: Thank you, Mister President. Personal Privilege. I'd first like to point out Angela Leach who's lurking over there somewhere. She has been a great help to me. She's very firm, very direct, tells me what I need to do and when and I'd better damn well do it. And I really appreciate that. I'd like to thank my Senate colleagues for your patience this year as I figured it out. This is my first political office, and I found on both sides of the aisle great support, built some friendships, and I am truly, truly grateful for what you've provided. Certainly Tammy, Kristy and others have guided me along the way as well. But I wanted to reserve a very special thanks to the President of the Senate and the Majority Leader, who after I learned I was chairing the Commerce Committee politely informed me my first hearing would be Right to Work. Thank you for helping me to get acclimated very, very quickly. Thank you, Mister President.

(The Chair recognized Senator Daniels.)

SENATOR DANIELS: Thank you, Mister President. I'm going to take a risk and pretend that I don't realize what the words "don't you dare" mean, and recognize Deb Martone, my assistant, who for the first part of the session we seemed to compete as to who could get to the office first in the morning until she realized I don't sleep half the night. But Deb has been there in the morning, she's been there long after I leave, she's the one who keeps things organized in Finance. She was the one to mentor me through the process, to make sure that the committee stuff was all set up, taken down and moved around as we need to, but I just can't say enough for the work that she has done, a true professional, indeed I'm very fortunate to have her.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. As my colleague from District 5 said, the newbies, great experience to work with everybody in this chamber, the staff and the elected officials. When I came into the office that I share with Senator Watters his frustration of staffing in the office was palpable. We want to thank you Kristy for helping us out, but I got to thank Jessica Bourque and Jenny, and this is an opportunity to introduce Tricia Melillo, who is our assistant for Senator Watters and Senator Kahn. Thank you for just a wave so that you all recognize her because she's a great talent and she'll be staffing other things I'm sure in the future, you'll find a way for her to do that. And I also just want to thank, it's already been done, the budget office, you didn't know my interest in budgets, you've just been great when I walk in and treat a Senator like, that I could have the same access to the same information that your committee members had. That's truly what I was told to expect, it wasn't until it was delivered that I really trusted that input, but thank you. And to the OLS staff, I've got to say if I track your numbers, your coding system, we wrote 2,330 different bills, amendments, things that never saw the light of day, that's just amazing that that's what this body generated and that's just in this body with an "S" on it as opposed to all the other "H's" that you no doubt did. It's been a pleasure and I want to join the chorus in saying thank you so much.

(The Chair recognized Senator Gannon.)

SENATOR GANNON: Thank you, Mister President. I want to thank my son, Billy and daughter Kate for coming today. I did introduce you earlier and I said nothing embarrassing so we got through this part. I want to thank Sharon Carson for teaching me that it's not just Judiciary, there is the ED&A and it is important, too. And Regina, thank you for teaching me everything about Transportation and I'm getting there, and Kat who has to put up with not only me, but the bear and the two deer. Wherever you are; thank you very much for putting up with me and the animals. Thank you. Thank you, Mister President.

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSSELL: Thank you, Mister President. I just want to thank Kat, not only for having to deal with the animals in your office, but the ones in Transportation and all the newbies that we've had in Transportation. She had a lot of patience and she kept us organized as well as Kelly in Election Law and I guess we're going to lose you and we're, we just got you trained! So, we're going to really miss her as well.

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. I just want to echo...my thanks to everyone who is in this room. Without you it, you know we couldn't exist and you all make it a good place to come to work every day. But I particularly want to say I've had the pleasure and good fortune to be led around by Marie and for the past year and a half to be helped and led around by Kelly Flathers and we have formed a wonderful working relationship, and that's the good news. The bad news is Kelly is leaving us next week. And so I want you all to take the opportunity, she's moving out of state, and to what I know is going to be a wonderful future and wonderful opportunities for her. So, I want you all to know that and take the opportunity to wish Kelly good luck, and pick me up off the floor. Thank you.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you, Mister President. Mister President, I want to give a very special shout out to an absolutely wonderful person and a great assistant Jessica Bourque, for all she has done let's give Jess a round of applause. And thank you Senator Hennessey for your comments. And to everybody, you know we have disagreements and sometimes those disagreements are contentious and it can be tough on us, it can be tough on our staff, but I really appreciate working with all of you and all the work that you've done in good faith to serve the people of New Hampshire. So thank you all very much for this session.

(The Chair recognized Senator Gray.)

SENATOR GRAY: Certainly Renata keeps me, wherever she is, you know, straight in the office and Kelly, I didn't know somebody else was going to have to retrain me after you helped me out in the committee. But everyone on the staff, when you go see them, especially as a freshman and you have questions, I mean every department has been helpful. I mean, you know, Legislative Services not saying well gee, you know you've already put in three amendments this week, you know. The Senate Research that can tell me who the first woman that went into the Veteran's Home was, and why that bill was the way it is. Every one of the staff have been helpful to me and, you know, hopefully helped me to do a better job as a Senator, and I thank you.

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: Thank you very much, Mister President. I'd just like to echo the acknowledgement to all the staff that is here, how hard you work, and the many hours that you put in, and that you're always willing to be helpful and to assist us and to support us and it's really quite remarkable. I don't think that the outside world really understands what you do and how you help us and how privileged we are to have you. But in addition to that, I would really like to thank the Minority Leader, Jeff Woodburn, who has done a remarkable job in promoting the values and issues that we as Democrats care about. So Jeff, thank you so very, very much. And I'm very proud to have the opportunity to have served under your leadership, and I'd also to thank Senator Bradley and Senator Morse because your doors are always open, your gracious and cordial and willing to listen and I appreciate that fact so very much, and thank you again for the role that you play in making sure that this body is respected and does a good job.

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Thank you, Mister President. I, too, want to thank all my colleagues in both parties for a good session, my committee chairs, and one who has departed quickly and the others who are still here. And I want to echo what Senator Kahn said, too, about our, perhaps our newest staff member, Tricia Melillo. We had an interesting kind of a, I don't know, whether you'd think it was a Yankee Swap or speed dating with an employment service from our temps, and then boy did we get lucky when Tricia showed up and I said it's going to be, you know you've seen those movies where the people are trying to run and catch up and throw themselves onto a train that's leaving the station and I thought that's what it's going to be like. And I want to thank her for what a quick study and how much she's helped us and also I sympathize with her; she not only got two Democrats, but she got two academics and just take a look at our desks and you'll know what it's all about, but thank you, Tricia.

(The Chair recognized Senator Soucy.)

SENATOR SOUCY: Thank you, Mister President. I, too, want to thank Ryan Mahoney and Laura O'Neil, who are phenomenal in managing our caucus. I especially want to thank Marlene Taylor, who just goes above and beyond, not only does she feed all of you very well but she certainly takes care of us downstairs. The personal touches and the insight that she has and the ability to read what's going on and what we need is just extraordinary. So I can't thank Marlene enough. I also want to mention a couple people that aren't here, Joe

Burke, if you'll tell Larry we love him. He's always here late at night for us and through the night, and Jim and Donna who is downstairs working already cleaning our offices and taking care of all of us. But thanks to you, all of my colleagues; I've had kind of a rough year this year and people have been very supportive and I really appreciate that, so thank you.

PRESIDENT MORSE: Well, I just, you know I can always come in here and thank my wife and daughter which they certainly check in every day, but the person that gets the brunt of that is certainly Shannon. She had the baby on time, she came back two days late, but that's okay. But I want to thank her for everything she does to keep my family knowing where I am and where I'm not going to be, and thank you for everything you've done to keep the Senate rolling. My Chief of Staff truly has become a model for what chief of staffs should be. She recognizes that we all have different beliefs; she certainly makes sure that she works hard to make sure your lives move on and we work together. And almost every day she will give me the criticism that I need to make it through the day, to make sure that that happens. And I can't thank her enough for how much she cares about the state of New Hampshire, because she's truly a great Chief of Staff.

You know earlier today I, somewhat, got a lecture from the Dean and I said geez, I didn't even go to school under him, but the reality is I go to school with him every day. He's probably the one I check out with every day. I'm here often a little more than he is lately, but the fact is he gets it, he understands what it's all about. It's the twenty-three of you that make a difference. It's not about the Senate President. I thank you for the kind words, but without you we couldn't make a difference every single day in the state of New Hampshire. We may not agree on everything and I see it in your faces, trust me, standing up here, that's an easy thing to do. But the reality of the whole thing is, as I said in the beginning, it's the twenty-four of us working together that have made a great difference in the state of New Hampshire, and that you go into this summer and you try to take a few hours off, which I know most of you won't, make sure that we do it with the same honor and respect that we've always treated each other with. And to all of you in the background, what Senator Bradley said, I mean immensely, thank you, thank you, thank you. You made us look great this year.

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)

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 reports and amendments and when we recess, we recess to the Call of the Chair.

Adopted. The Senate is in recess to the Call of the Chair.

LATE SESSION

OUTSTANDING BILLS

On Thursday, June 15, 2017 the following Legislation was not signed off in Committee of Conference:

SB 74-FN, relative to economic revitalization zone tax credits.

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.

HB 228, relative to transportation of alcoholic beverages by a minor.

HB 463-FN, regulating groundwater pollution caused by polluting emissions in the air and relative to standards for emerging contaminants in drinking water.

HB 527, relative to confidentiality of forms and rates and relative to the length of docks on a water body, water body size.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled House Bill(s):

HB 25-FN-A, making appropriations for capital improvements.

HB 131, relative to the costs for notice of changes in a zoning district.

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 161-FN, relative to beverage sales at farmers' markets and relative to liquor commission sales.

HB 164, relative to poker in private residences and relative to limits on wagers in charitable games of chance.

HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana.

HB 237, establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles, and relative to a trail connector in the town of Henniker.

HB 247, relative to retention of voter registration forms.

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 319, limiting 20-day registration plates, relative to the suspension of a driver's license, and relative to salvage certificates of titles for motor vehicles.

HB 340, establishing the lakeshore redevelopment planning commission.

HB 364, relative to accidents involving youth operators of motor vehicles.

HB 371-LOCAL, relative to bond requirements for public works contracts.

HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol.

HB 448, relative to certain ignition interlock violations.

HB 517, relative to state fees, funds, revenues, and expenditures.

HB 556, requiring schools to post the state telephone numbers to report child abuse and relative to criminal history records checks of school employees and volunteers.

HB 575-FN, relative to the certification of acupuncture detoxification specialists.

HB 580-FN-A, relative to fantasy sports contests.

HB 654-FN, establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals, and relative to examinations of vacation and short-term rentals.

June 29, 2017

2017-2391-EBA

06/03

Enrolled Bill Amendment to HB 25-FN-A

The Committee on Enrolled Bills to which was referred HB 25-FN-A

AN ACT making appropriations for capital improvements.

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 25-FN-A

This enrolled bill amendment makes a grammatical correction and corrects certain references in the bill.

Enrolled Bill Amendment to HB 25-FN-A

Amend the footnote to paragraph XVIII of section 1 of the bill by replacing line 1 with the following:

* To provide funds for the appropriation made in subparagraph XVIII, G, the state treasurer is

Amend section 8 of the bill by replacing line 4 with the following:

the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-

Amend section 20 of the bill by replacing line 4 with the following:

plaza for motorists is not feasible, then in addition to the sum appropriated in section 1, subparagraph

Amend paragraph 40 of section 22 of the bill by replacing line 1 with the following:

40. The appropriation made to the department of corrections in 2013, 195:1, IV, A, as amended by 2015, 220:15, extended by

Amend paragraph 45 of section 22 of the bill by replacing it with the following:

45. The appropriation made to the department of education in 2013, 195:1, V, A, as amended by 2014, 237:2, extended by 2015, 220:23, 35 for renovation of CTE center Dover-state share.

Amend paragraph 46 of section 22 of the bill by replacing line 1 with the following:

46. The appropriation made to the department of education in 2013, 195:1, V, B, as amended by 2014, 237:2, extended by

Amend paragraph 97 of section 22 of the bill by replacing line 1 with the following:

97. The appropriation made to the liquor commission in 2013, 195:1, XII, D, as amended by 2015, 220:14, as extended by 2015, 220:23, 80 for renovate

Amend paragraph 98 of section 22 of the bill by replacing line 1 with the following:

98. The appropriation made to the liquor commission in 2013, 195:1, XII, H, as amended by 2015, 220:14, extended by 2015, 220:23, 83 for Portsmouth

Amend paragraph 99 of section 22 of the bill by replacing line 1 with the following:

99. The appropriation made to the liquor commission in 2013, 195:1, XII, J, as amended by 2015, 220:14, extended by 2015, 220:23, 85 for signage and

Amend paragraph 100 of section 22 of the bill by replacing line 1 with the following:

100. The appropriation made to the liquor commission in 2013, 195:1, XII, E, as amended by 2015, 220:14, extended by 2015,

Amend paragraph 101 of section 22 of the bill by replacing line 1 with the following:

101. The appropriation made to the liquor commission in 2013, 195:1, XII, G, as amended by 2015, 220:14, extended by 2015,

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

June 26, 2017
2017-2386-EBA
03/01

Enrolled Bill Amendment to HB 164

The Committee on Enrolled Bills to which was referred HB 164

AN ACT relative to poker in private residences and relative to limits on wagers in charitable games of chance.

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 164

This enrolled bill amendment corrects the title of the bill to reflect the contents of the bill. This enrolled bill amendment also contingently authorizes the renumbering of new RSA subparagraph.

Enrolled Bill Amendment to HB 164

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

AN ACT relative to poker in private residences.

Amend the bill by replacing all after section 1 with the following:

2 Contingency; Renumbering. If HB 580-FN-A of the 2017 regular legislative session becomes law, RSA 647:2, V(d) as inserted by section 1 of this act shall be renumbered as RSA 647:2, V(e).

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

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

June 22, 2017
2017-2379-EBA
05/10

Enrolled Bill Amendment to HB 170

The Committee on Enrolled Bills to which was referred HB 170

AN ACT relative to posting notice and minutes of public meetings on the public body's website.

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 170

This enrolled bill amendment makes a technical correction and inserts a renumbering contingency.

Enrolled Bill Amendment to HB 170

Amend RSA 91-A:2, II-a as inserted by section 1 of the bill by replacing line 1 with the following:

II-a.(a) If a public body maintains an Internet website or contracts with a third party to

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Contingent Renumbering. If HB 460 of the 2017 regular legislative session becomes law, RSA 91-A:2, II-a as inserted by section 1 of this act shall be renumbered to RSA 91-A:2, II-b.

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

June 26, 2017
2017-2381-EBA
06/04

Enrolled Bill Amendment to HB 420-FN

The Committee on Enrolled Bills to which was referred HB 420-FN

AN ACT relative to ignition interlock requirements in manslaughter cases involving alcohol.

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 420-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 420-FN

Amend RSA 265-A:38, I as inserted by section 2 of the bill by replacing line 3 with the following:

revocation or suspension imposed in RSA 265-A:18, 265:79, **630:2, III** or 630:3, a hearing shall be

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

June 23, 2017
2017-2384-EBA
10/04

Enrolled Bill Amendment to HB 517

The Committee on Enrolled Bills to which was referred HB 517

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

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 517

This enrolled bill amendment makes various technical corrections and incorporates changes from HB 405, HB 624, and HB 332 of the 2017 regular legislative session.

Enrolled Bill Amendment to HB 517

Amend the bill by replacing section 9 with the following:

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 may participate in state retiree health plans offered under RSA 21-I:30 according to eligibility rules established under the judicial branch uniform personnel classification and compensation system.

[H] **I-a.** 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.

Amend section 38 of the bill by replacing line 3 with the following:

4:9-c, I(i); 4-F:1, II(a)(4); 6:12-j, V(d)(1); 17-R:1, II(n); 19-A:5, IV; 19-A:8, II;

Amend section 39 of the bill by replacing line 3 with the following:

television commission established in RSA 12-A:14-a and RSA 12-A:41-b shall operate as

Amend RSA 12-O:28 as inserted by section 40 of the bill by replacing line 5 with the following:

each year thereafter, the division shall similarly provide results and validation from the previous

Amend RSA 12-O:42 as inserted by section 40 of the bill by replacing line 6 with the following:

Hampshire Workforce Opportunity Council established under RSA 12-O:44. The commissioner

Amend RSA 194-B:1, VI as inserted by section 93 of the bill by replacing line 1 with the following:

VI. "Full-time enrolled pupil" means a pupil pursuant to RSA 194-B:1, XI and

Amend section 95 of the bill by replacing line 2 with the following:

194-B:11, I(b)(1) to read as follows:

Amend section 96 of the bill by replacing line 1 with the following:

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

Amend section 106 of the bill by replacing line 2 with the following:

department of education may, subject to the approval of the governor and council, accept gifts,

Amend RSA 21-J:12 as inserted by section 114 of the bill by replacing it with the following:

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:

I. Processing all tax returns and payments filed with the government.

II. Providing general assistance to the public for all taxes administered by the department.

III. Maintaining and reconciling taxpayer accounts within the department's account management systems.

Amend RSA 21-J:1-b, II as inserted by section 134 of the bill by replacing line 5 with the following:

methodology used to determine the revenue increase to the capital budget overview committee

Amend section 137 of the bill by replacing line 5 with the following:

contingent upon approval of the fiscal committee of the general court. The governor is authorized to draw a

Amend section 177 of the bill by replacing line 4 with the following:

Association of Counties' development of a New Hampshire partnership for long-term care plan.

Amend section 195 of the bill by replacing lines 2-4 with the following:

section 17 the following new subdivision:

Office of the Child Advocate

170-G:18 Office of the Child Advocate.

Amend RSA 170-G:17, II as inserted by section 195 of the bill by replacing line 5 with the following:
council, upon the recommendation of the oversight commission established in RSA 170-G:19. The

Amend RSA 170-G:17, III(b) as inserted by section 195 of the bill by replacing line 2 with the following:
oversight commission established in RSA 170-G:19.

Amend RSA 170-G:18 as inserted by section 195 of the bill by replacing line 1 with the following:

170-G:19 Oversight Commission on Children's Services Established.

Amend paragraph II(b) of section 196 of the bill by replacing line 4 with the following:

juvenile justice established in RSA 170-G:19 regarding implementation and progress under the

Amend RSA 485-F:4, III and IV as inserted by section 208 of the bill by replacing them with the following:

III. *Members appointed under subparagraphs (a)–(h) shall serve terms that are coterminous with their term in office.*

IV. Except for the members appointed under subparagraphs (a)–[(e)] **(h)**, members shall be appointed for 2-year staggered terms.

Amend paragraph II of section 212 of the bill by replacing line 2 with the following:

motor vehicles, for the biennium ending June 30, 2019, for the purposes of paragraph I of this section.

Amend section 224 of the bill by replacing it with the following:

224 Repeal; 2019. RSA 83-E, relative to the electricity consumption tax, is repealed.

Amend the bill by inserting after section 245 the following new sections and renumbering the original section 246 to read as 249:

246 Contingent Renumbering:

I. If HB 405 of the 2017 regular legislative session becomes law, then RSA 21-I:30-f as inserted by section 2 of this act shall be renumbered as RSA 21-I:30-g.

II. If SB 101-FN of the 2017 regular legislative session becomes law, then RSA 188-E:25 as inserted by section 156 of this act shall be renumbered as RSA 188-E:24-a.

III. If SB 235 of the 2017 regular legislative session becomes law, then RSA 167-3-k as inserted by section 202 of this act shall be renumbered as RSA 167:3-l.

247 Contingent Amendment; HB 332 Changes. RSA 9:17-d is repealed and reenacted 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 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 and RSA 9:17-a.

248 Contingency. If HB 332 of the 2017 regular legislative session becomes law then section 247 of this act shall take effect at 12:01 am on the date that HB 332 takes effect.

Amend section 249 of the bill by replacing paragraph I with the following:

I. Sections 1, 67, 68, 69, 71, 109, 136, 167, 186, 188, 190, and 232 of this act shall take effect June 30, 2017.

Amend section 249 of the bill by replacing paragraph X with the following:

X. Section 247 of this act shall take effect as provided in section 248 of this act.

XI. The remainder of this act shall effect July 1, 2017.

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

June 28, 2017
2017-2390-EBA
03/05

Enrolled Bill Amendment to HB 556

The Committee on Enrolled Bills to which was referred HB 556

AN ACT requiring schools to post the state telephone numbers to report child abuse and relative to criminal history records checks of school employees and volunteers.

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 556

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 556

Amend RSA 189:13-a, II as inserted by section 2 of the bill by replacing line 9 with the following:

any crimes listed in paragraph V to the superintendent of the school administrative unit or

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

June 26, 2017
2017-2382-EBA
04/01

Enrolled Bill Amendment to HB 575-FN

The Committee on Enrolled Bills to which was referred HB 575-FN

AN ACT relative to the certification of acupuncture detoxification specialists.

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 575-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 575-FN

Amend RSA 328-G:9-a, III as inserted by section 3 of the bill by replacing line 2 with the following:

detoxification specialist certified by the board from practicing within the scope of his or her certification.

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

June 28, 2017
2017-2388-EBA
05/03

Enrolled Bill Amendment to HB 580-FN-A

The Committee on Enrolled Bills to which was referred HB 580-FN-A

AN ACT relative to fantasy sports contests.

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 580-FN-A

This enrolled bill amendment corrects a paragraph number.

Enrolled Bill Amendment to HB 580-FN-A

Amend RSA 287-H:2 as inserted by section 3 of the bill by replacing line 24 with the following:

IV. The commission shall adopt rules under RSA 541-A implementing the provisions of this
Senator Avarad moved adoption of the Enrolled Bill Amendment. Adopted.

June 9, 2017
2017-2217-EBA
06/10

Enrolled Bill Amendment to HB 640-FN

The Committee on Enrolled Bills to which was referred HB 640-FN
AN ACT relative to the penalties for possession of marijuana.

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 640-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 640-FN

Amend RSA 318-B:2-c, VII as inserted by section 2 of the bill by replacing line 2 with the following:
prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed

Amend RSA 318-B:2-c, VIII(b) as inserted by section 2 of the bill by replacing line 2 with the following:
for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the
Senator Avarad moved adoption of the Enrolled Bill Amendment. Adopted.

June 26, 2017
2017-2385-EBA
06/04

Enrolled Bill Amendment to HB 654-FN

The Committee on Enrolled Bills to which was referred HB 654-FN
AN ACT establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals.

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 654-FN

This enrolled bill amendment amends the title of the bill to accurately reflect the contents of the bill.

Enrolled Bill Amendment to HB 654-FN

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

AN ACT establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals and relative to restrictions on the authority to regulate vacation and short-term rentals under the housing standards law.

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

June 13, 2017
2017-2376-EBA
03/01

Enrolled Bill Amendment to SB 13

The Committee on Enrolled Bills to which was referred SB 13

AN ACT repealing the administrative attachment of the police standards and training council to the community college system of New Hampshire and repealing the statutes governing the New Hampshire technical institute security force.

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 13

This enrolled bill amendment deletes a section made unnecessary following the enactment of 2017, 25 (HB 409) and inserts gender-natural language.

Enrolled Bill Amendment to SB 13

Amend the bill by deleting section 3 and renumbering the original sections 4-28 to read as 3-27, respectively.

Amend RSA 381:4 as inserted by section 16 of the bill by replacing line 10 with the following:

as the police standards and training council shall determine, which, together with his *or her* prior training

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

June 26, 2017
2017-2387-EBA
03/10

Enrolled Bill Amendment to SB 89

The Committee on Enrolled Bills to which was referred SB 89

AN ACT relative to the relationship between a franchisor and a franchisee.

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 89

This enrolled bill amendment corrects a reference in the bill.

Enrolled Bill Amendment to SB 89

Amend RSA 275:4, I-a as inserted by section 1 of the bill by replacing line 2 with the following:

meanings as in section 436.1 of title 16 of the Code of Federal Regulations.

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

June 28, 2017
2017-2389-EBA
05/01

Enrolled Bill Amendment to SB 121

The Committee on Enrolled Bills to which was referred SB 121

AN ACT establishing a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency.

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 121

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 121

Amend RSA 483-B:7-a, II(d) as inserted by section 1 of the bill by replacing line 2 with the following:
house of representatives.

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

June 23, 2017
2017-2380-EBA
04/01

Enrolled Bill Amendment to SB 225-FN

The Committee on Enrolled Bills to which was referred SB 225-FN

AN ACT revising the New Hampshire trust code.

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 225-FN

This enrolled bill amendment makes technical corrections, renumbers a chapter to avoid a conflict with SB 230-FN of the 2017 regular legislative session, and inserts a contingency to avoid conflicts with SB 86 of the 2017 regular legislative session.

Enrolled Bill Amendment to SB 225-FN

Amend RSA 564-B:12-1210(c) as inserted by section 31 by replacing line 2 with the following:
employs under subsection (a) or (b) is an expense incurred in the administration of the trust.

Amend RSA 564-E:3-301(d) as inserted by section 47 by replacing line 1 with the following:

(d) For purposes of subsection (c)(3), the effective date and time shall not be more than 90

Amend RSA 564-E:7-703 as inserted by section 47 by replacing lines 3-4 with the following:

(a) The founder; or

(b) The board of directors.

Amend RSA 564-E:14-1402(d) as inserted by section 47 by replacing line 1 with the following:

(d) For purposes of subsection (a)(10), the procedure for the appointment of a

Amend RSA 564-E:18-1805(a)(2) as inserted by section 47 by replacing line 1 with the following:

(2) Except as provided in subsection (a)(3), 3 years after the earliest of:

Amend RSA 546-E:21-2119(d) as inserted by section 47 by replacing line 1 with the following:

(d) For purposes of subsection (b)(5), the effective date and time shall not be more than 90

Amend the bill by replacing all after section 59 with the following:

60 Contingent Renumbering. If SB 230-FN of the 2017 regular legislative session becomes law, then RSA 564-E as inserted by section 47 of this act, and the references to RSA 564-E in RSA 292:3, II(a)-(b), RSA 293-A:4.01(b)(1) and (2), RSA 293-B:17, I(b)(1)-(2), RSA 294-A:7, III(a)(1)-(2), RSA 301:43-a, II(a)-(b), RSA 304-A:45, II(a)-(b), RSA 304-B:2, III(a)-(b), and RSA 349:1, IV(a)(1)-(2), as inserted respectively by sections 51-58 of this act, shall be renumbered as RSA 564-F.

61 Contingency. If SB 86 of the 2017 regular legislative session becomes law, sections 44, 46, and paragraph I of section 59 of this act shall take effect one minute after the effective date of SB 86.

62 Effective Date.

I. Sections 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 40, and 43 of this act shall take effect upon its passage.

II. Sections 38, 41, and 47 through 58 of this act shall take effect October 1, 2017.

III. Sections 44, 46, and paragraph I of section 59 of this act shall take effect as provided in section 61 of this act.

IV. The remainder of this act shall take effect 60 days after its passage.

Senator Avard 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:

HB 86, relative to voting on variances.

HB 332, relative to dedicated funds with no activity in the financial system for at least the most recent fiscal year.

HB 343, relative to disapproval of forms and authorizing the insurance commissioner to retain certain independent specialists.

HB 389, relative to voters with physical disabilities.

HB 455-FN, relative to the practices of pharmacy benefit managers.

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 474-FN, regulating the use of a cell site simulator device.

HB 484, establishing a commission on the seacoast cancer cluster investigation.

SB 37, relative to tip pooling.

SB 38-FN, making an appropriation to the department of transportation for local highway aid and aid for municipal bridges, relative to distribution of highway aid, and relative to red list bridges.

SB 57-FN-A, making appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program and relative to making an appropriation from the drinking water and groundwater trust fund to the department of environmental services to address drinking water contamination in Amherst.

SB 67, relative to the authority of state police employees.

SB 86, relative to the regulation of banks, trusts, and credit unions by the banking department.

SB 101-FN, relative to enrollment eligibility for regional career and technical education programs and relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor.

SB 113, relative to an electronic poll book trial program.

SB 135-FN, relative to the regulation of electricians.

SB 137-FN, relative to temporary licensure of certain nurses seeking licensure by endorsement from the board of nursing.

SB 152, relative to criminal history background checks for certain health care workers.

SB 157, relative to network adequacy and consumer rights under the managed care law.

SB 185, extending the community revitalization tax relief program to coastal properties subject to storm surge, sea level rise, and extreme precipitation.

SB 216-FN, relative to differential pay for state troopers and relative to crowd control by marine patrol officers.

Senator Avard 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 334, relative to exemptions from licensure by the board of medical imaging and radiation therapy.

HB 414-FN-A, limiting parental liability under a CHINS petition in certain circumstances.

HB 552-FN, relative to investigation of voter verification letters.

SB 3, relative to domicile for voting purposes.

SB 8-FN, relative to school attendance in towns with no public schools.

SB 30-FN, defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.

SB 59, relative to blood testing orders.

SB 66-FN, including a fetus in the definition of "another" for purposes of certain criminal offenses.

SB 127, relative to dissolved oxygen water quality standards.

SB 129, requiring a portion of the renewable energy fund to benefit low to moderate income residential customers, relative to electric renewable energy classes, relative to the class rate for biomass, and relative to requirements for incentive payments from the renewable energy fund.

SB 131-FN-A, establishing a cross border drug interdiction program and making an appropriation therefor.

SB 206-FN, relative to wagering on simulcast racing.

SB 212-FN, establishing the physical therapy licensure compact.

SB 248, establishing a committee to study the rescheduling of elections and relative to absentee voter signatures.

Senator Avard 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 144, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019.

SB 13, repealing the administrative attachment of the police standards and training council to the community college system of New Hampshire and repealing the statutes governing the New Hampshire technical institute security force.

Senator Avard 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 517, relative to state fees, funds, revenues, and expenditures.

Senator Bradley 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 25-FN-A, making appropriations for capital improvements.

Senator Avard 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 164, relative to poker in private residences and relative to limits on wagers in charitable games of chance.

HB 340, establishing the lakeshore redevelopment planning commission.

HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol.

HB 556, requiring schools to post the state telephone numbers to report child abuse and relative to criminal history records checks of school employees and volunteers.

HB 575-FN, relative to the certification of acupuncture detoxification specialists.

HB 580-FN-A, relative to fantasy sports contests.

HB 654-FN, establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals, and relative to examinations of vacation and short-term rentals.

SB 35, relative to the guidelines of the legislative ethics committee.

SB 89, relative to the relationship between a franchisor and a franchisee.

SB 121, establishing a commission to determine if the department of environmental services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency.

SB 191-FN, establishing keno and relative to funding for kindergarten.

SB 225-FN, revising the New Hampshire trust code.

Senator Avard 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 131, relative to the costs for notice of changes in a zoning district.

HB 161-FN, relative to beverage sales at farmers' markets and relative to liquor commission sales.

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

HB 215, establishing a commission to study the legalization, regulation, and taxation of marijuana.

HB 237, establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles, and relative to a trail connector in the town of Henniker.

HB 247, relative to retention of voter registration forms.

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 319, limiting 20-day registration plates, relative to the suspension of a driver's license, and relative to salvage certificates of titles for motor vehicles.

HB 364, relative to accidents involving youth operators of motor vehicles.

HB 371-LOCAL, relative to bond requirements for public works contracts.

HB 448, relative to certain ignition interlock violations.

HB 640-FN, relative to the penalties for possession of marijuana.

SB 43, relative to nonacademic surveys, questionnaires, or evaluations administered by a public school to its students.

SB 44, prohibiting the state from requiring implementation of common core standards and relative to the amendment or approval of academic standards.

SB 60, relative to chemical analyses of controlled drugs.

SB 78, relative to confidentiality of state tax records in state administrative or judicial proceedings.

SB 155, relative to implementation of the Medicaid managed care program.

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

The Senate is in recess to the Call of the Chair.