

CHAPTER 90
HB 1-A - FINAL VERSION

7Apr2021... 1045h
06/03/2021 1797s
06/03/2021 1885s
24Jun2021... 1928CofC

2021 SESSION

21-1083
05/04

HOUSE BILL ***1-A***

AN ACT making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2022 and June 30, 2023.

SPONSORS: Rep. Weyler, Rock. 13; Rep. L. Ober, Hills. 37; Rep. Edwards, Rock. 4; Rep. Umberger, Carr. 2

COMMITTEE: Finance

ANALYSIS

No analysis needed.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT making appropriations for the expenses of certain departments of the state for
fiscal years ending June 30, 2022 and June 30, 2023.

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

1

2

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1 1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1, the following
2 general budget footnotes that contain class codes shall apply to all specified class codes in section
3 1.01 through 1.07 unless specifically exempted.

4 A. Not Used.

5 B. Not Used.

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

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

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

12 F. This appropriation shall not lapse until June 30, 2023.

13 G. The funds in this appropriation shall not be transferred or expended for any other purpose
14 and shall not lapse until June 30, 2023.

15 H. Not used.

16 I. In the event that estimated revenue in revenue class 001-transfers for other agencies, 002-
17 transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private
18 local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less
19 than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either
20 actual or projected budgeted revenue. The agency head shall notify the bureau of accounting
21 services forthwith, in writing, as to precisely which line item appropriation and in what specific
22 amounts reductions are to be made in order to fully compensate for the total revenue deficits. For
23 the biennium ending June 30, 2023, account number 02-46-46-4620-5731 within the department of
24 corrections shall be exempt from these provisions. The provisions of this footnote do not apply to
25 federal funds covered by RSA 124:14.

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

28 90:2 General Fund and Total Appropriation Limits. The amounts included in section 1 of this
29 act for all university system accounts and community college system accounts, under estimated
30 source of funds from general funds, shall be the total appropriation from general funds for such
31 accounting units that may be expended for the purpose of section 1 of this act. Any funds received by
32 said systems from other than general funds are hereby appropriated for the use of the systems and
33 may be expended by said systems whether or not this will result in an appropriation and
34 expenditure by the system in excess of the total appropriation therefor.

35 90:3 Assignment of Office Space. If, during the biennium ending June 30, 2023, because of
36 program reductions, consolidations, or any other reason, office space becomes available in the health
37 and human services complex, the Hayes building, or any other state building, except office space

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1 under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative
2 services shall, with the prior approval of the fiscal committee of the general court, and with the
3 approval of the governor and council, require that any agency renting private space be required to
4 occupy such available space in said building or buildings forthwith. Such funds as have been
5 allocated or committed by any agency affected by this section for outside rental shall be transferred
6 by the director of the division of accounting services to the bureau of general services, activity
7 number 01-14-14-141510 for maintenance of applicable state buildings.

8 90:4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2023, in order
9 to provide sufficient funding to the lottery commission to carryout lottery games that will provide
10 funds for the distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal
11 committee of the general court for approval of any new games, the expansion of any existing lottery
12 games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures
13 for consultants shall be made without prior approval by the fiscal committee. If approved, the
14 commission may then apply to the governor and council to transfer funds from the sweepstakes
15 revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium
16 ending June 30, 2023.

17 90:5 Department of Corrections; Appropriation. The appropriation in class 018-overtime and
18 class 024-maintenance, other than building and grounds, shall not lapse until June 30, 2023. The
19 appropriations in classes 047 and 048 for the maintenance of buildings and grounds shall not be
20 transferred or expended for any other purpose and shall not lapse in the first year of the operating
21 budget, except that appropriations for maintenance of buildings and grounds may be transferred as
22 follows: (1) appropriations in class 047-own forces maintenance-buildings and grounds may be
23 transferred to class 048-contractual maintenance-buildings and grounds appropriations; (2)
24 appropriations in class 048-contractual maintenance-buildings and grounds may be transferred to
25 class 047-own forces maintenance-buildings and grounds appropriations.

26 90:6 Liquor Commission; Proceeds From Sale of Land. All proceeds from the sale of any land
27 owned by the liquor commission for the purpose of constructing, operating, and maintaining a
28 turnpike service plaza for motorists at the existing northbound and southbound state liquor and
29 wine outlets in the town of Hampton on Interstate route 95 shall be deposited into the liquor
30 commission fund pursuant to RSA 176:16 and shall be used exclusively to retire existing debt.

31 90:7 Positions Abolished.

32 I. The following positions are hereby abolished effective at the close of business on June 30,
33 2021:

34 Department of Health and Human Services

35 05-095-095-950010-5676 12702

36 Department of Energy

37 02-052-052-520010-1888 14339, 10015

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1 II. The following position is hereby abolished effective at the close of business on June 30,
2 2022:

3 Department of Energy
4 02-52-052-521010-1891 9U505

5 III. The following position is hereby abolished effective at the close of business on June 30,
6 2023:

7 Department of Energy
8 02-52-052-521010-1891 9U573

9 90:8 Department of Health and Human Services; Division of Child Support Services; Payments
10 to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7934,
11 class 085, includes funds for payment to the administrative office of the courts in accordance with
12 the cooperative agreement between the division of child support services and the administrative
13 office of the courts. The division of child support services and the administrative office of the courts
14 shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the
15 services to be performed by the administrative office of the courts and the estimated costs of such
16 services. Any change or modification in the services to be performed shall likewise be agreed to in
17 writing and specify the change and the adjustment to the costs. Funds appropriated for these
18 purposes shall be paid only after demonstration by the administrative office of the courts that it
19 consistently transmits court orders to the division of child support services in accordance with the
20 cooperative agreement.

21 90:9 Department of Information Technology; Authority Granted. The sum of \$424,800 for fiscal
22 year ending June 30, 2022 and the sum of \$552,240 for fiscal year ending June 30, 2023 under
23 account 01-03-03-0300-7703, class 049 shall be allocated by the department of information
24 technology to state agencies of the executive branch, judicial branch, and legislative branch
25 proportionally based on their authorized position count.

26 90:10 Department of Information Technology; Appropriation.

27 I. The sum of \$1,721,492 for the fiscal year ending June 30, 2022, and the sum of \$1,818,372
28 for the fiscal year ending June 30, 2023, are hereby appropriated to the department of information
29 technology to fund shared-service positions. The source of funds for the appropriations shall be as
30 follows:

	<u>FY 2022</u>	<u>FY 2023</u>
31		
32	Federal Funds	\$346,685 \$367,065
33	General Funds	\$720,882 \$758,109
34	Liquor Fund	\$43,353 \$45,730
35	Highway Fund	\$240,391 \$256,250
36	Turnpike Fund	\$9,935 \$7,871
37	Lottery Fund	\$12,690 \$13,400

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1	Fish and Game Fund	\$30,934	\$32,646
2	Other Funds	<u>\$316,622</u>	<u>\$337,303</u>
3	TOTAL	\$1,721,492	\$1,818,372

4 II. The department of information technology, in consultation with the department of
5 administrative services, shall increase the appropriations to the class 027 expenditure class lines of
6 each state department or agency by their respective portion of these department of information
7 technology shared costs. The governor is hereby authorized to draw a warrant for said sum of
8 general fund expenditures out of any money in the treasury not otherwise appropriated.

9 90:11 Department of Information Technology; Appropriation.

10 I. The sums of \$100,000 for the fiscal year ending June 30, 2022, and \$342,750 for the fiscal
11 year ending June 30, 2023, are hereby appropriated to the department of information technology to
12 fund the cost of network switches and software licenses. The source of funds for the appropriations
13 shall be as follows:

	<u>FY 2022</u>	<u>FY 2023</u>	
14			
15	Federal Funds	\$19,994	\$67,957
16	General Funds	\$40,100	\$151,280
17	Liquor Fund	\$2,870	\$7,774
18	Highway Fund	\$13,565	\$46,257
19	Turnpike Fund	\$583	\$1,627
20	Lottery Fund	\$750	\$2,546
21	Fish and Game Fund	\$1,950	\$6,611
22	Other Funds	<u>\$20,188</u>	<u>\$58,698</u>
23	TOTAL	\$100,000	\$342,750

24 II. The department of information technology, in consultation with the department of
25 administrative services, shall increase the appropriations to the class 027 expenditure class lines of
26 each state department or agency by their respective portion of these department of information
27 technology shared costs. The governor is hereby authorized to draw a warrant for said sum of
28 general fund expenditures out of any money in the treasury not otherwise appropriated.

29 90:12 Department of Health and Human Services; Staffing; Budget Reduction. In addition to
30 any other required reductions, the department of health and human services is hereby directed to
31 reduce personnel-related class lines by \$22,600,000 in general funds for the biennium ending June
32 30, 2023, equating to approximately 226 full-time positions over the 2 years. At no time during the
33 biennium shall the department exceed 3,000 full-time authorized positions. The department shall
34 provide to the department of administrative services the accounting units and class lines to be
35 reduced, and shall report on said reductions to the fiscal committee of the general court by
36 September 30, 2021 for reductions made in the fiscal year ending June 30, 2022, and by September
37 30, 2022 for reductions made in the fiscal year ending June 30, 2023.

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1 90:13 Appropriation; Skilled Nursing Facilities; Intermediate Care for the Intellectually
2 Disabled. The sum of \$167,000 for the biennium ending June 30, 2023 is hereby appropriated to the
3 department of health and human services, account 05-95-048-482010-2154, for the purpose of
4 providing a 5 percent rate increase to skilled nursing facilities and facilities providing intermediate
5 care for the intellectually disabled. Said rate increase shall be effective July 1, 2021. The governor
6 is authorized to draw a warrant for said sum out of any money in the treasury not otherwise
7 appropriated. The department is authorized to accept and expend any federal funds for the purposes
8 of this section without prior approval of the fiscal committee of the general court.

9 90:14 Estimates of Unrestricted Revenue.

10 GENERAL FUND	<u>FY 2022</u>	<u>FY 2023</u>
11 BUSINESS PROFITS TAX	\$549,600,000	\$567,100,000
12 BUSINESS ENTERPRISE TAX	<u>54,300,000</u>	<u>56,000,000</u>
13 SUBTOTAL BUSINESS TAXES	\$603,900,000	\$623,100,000
14 MEALS AND ROOMS TAX	332,500,000	349,100,000
15 TOBACCO TAX	138,600,000	134,400,000
16 TRANSFER FROM LIQUOR	137,600,000	137,200,000
17 INTEREST AND DIVIDENDS TAX	138,000,000	142,100,000
18 INSURANCE	130,000,000	135,000,000
19 COMMUNICATIONS TAX	39,100,000	39,100,000
20 REAL ESTATE TRANSFER TAX	132,500,000	121,900,000
21 COURT FINES & FEES	12,700,000	13,000,000
22 SECURITIES REVENUE	42,000,000	42,500,000
23 BEER TAX	13,200,000	13,200,000
24 OTHER REVENUES	66,000,000	68,300,000
25 MEDICAID RECOVERIES	<u>2,700,000</u>	<u>2,500,000</u>
26 TOTAL GENERAL FUND	\$1,788,800,000	\$1,821,400,000
27		
28 EDUCATION FUND	<u>FY 2022</u>	<u>FY 2023</u>
29 BUSINESS PROFITS TAX	\$128,900,000	\$133,000,000
30 BUSINESS ENTERPRISE TAX	<u>265,000,000</u>	<u>273,500,000</u>
31 SUBTOTAL BUSINESS TAXES	\$393,900,000	\$406,500,000
32 MEALS AND ROOMS TAX	10,300,000	10,800,000
33 TOBACCO TAX	108,900,000	105,600,000
34 REAL ESTATE TRANSFER TAX	65,300,000	60,000,000
35 TRANSFER FROM LOTTERY	125,000,000	127,500,000
36 TOBACCO SETTLEMENT	38,200,000	36,300,000
37 UTILITY PROPERTY TAX	40,600,000	40,600,000

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1	STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
2	TOTAL EDUCATION FUND	\$1,145,300,000	\$1,150,400,000
3			
4	HIGHWAY FUND	<u>FY 2022</u>	<u>FY 2023</u>
5	GASOLINE ROAD TOLL	\$120,300,000	\$121,800,000
6	MOTOR VEHICLE FEES	130,400,000	131,500,000
7	MISCELLANEOUS	<u>200,000</u>	<u>200,000</u>
8	TOTAL HIGHWAY FUND	\$250,900,000	\$253,500,000
9			
10	FISH AND GAME FUND	<u>FY 2022</u>	<u>FY 2023</u>
11	FISH AND GAME LICENSES	\$9,800,000	\$9,800,000
12	FINES AND MISCELLANEOUS	<u>3,500,000</u>	<u>3,500,000</u>
13	TOTAL FISH AND GAME FUND	\$13,300,000	\$13,300,000

90:15 Effective Date. This act shall take effect July 1, 2021.

Approved: June 25, 2021
Effective Date: July 01, 2021