

SB 127-FN-A-LOCAL - AS AMENDED BY THE SENATE

03/25/2021 0861s

2021 SESSION

21-0912

08/10

SENATE BILL

127-FN-A-LOCAL

AN ACT adopting omnibus legislation on appropriations.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Finance

ANALYSIS

This bill adopts legislation relative to:

I. Annual grants to regional economic development corporations.

II. Establishing an animal records database.

III. Making an appropriation for affordable housing.

IV. Making an appropriation to the department of education for the purpose of funding air quality improvements in public school buildings.

V. Crediting excess funds in the investor education fund to the FRM victim's fund.

VI. Adequacy payments for home-schooled students.

VII. Making an appropriation to the department of environmental services for the purpose of funding public water system projects.

VIII. Making an appropriation to the department of environmental services for funding eligible wastewater projects.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation on appropriations.

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

1 1 Sponsorship. This act consists of the following proposed legislation:

2 Part I. LSR 21-0912, relative to annual grants to regional economic development
3 corporations, sponsored by Sen. Bradley, Prime/Dist 3; Sen. Watters, Dist 4; and Sen. Hennessey,
4 Dist 1.

5 Part II. LSR 21-0977, establishing an animal records database, sponsored by Sen. Bradley,
6 Prime/Dist 3.

7 Part III. LSR 21-1037, making an appropriation for affordable housing, sponsored by Sen.
8 Bradley, Prime/Dist. 3; Sen. Perkins Kwoka, Dist. 21; Sen. Rosenwald, Dist 13; Sen. D'Allesandro,
9 Dist 20; Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Sen. Whitley, Dist 15; Sen. Carson, Dist 14; Sen.
10 Hennessey, Dist 1; Sen. Cavanaugh, Dist 16; Sen. Sherman, Dist 24; Sen. Soucy, Dist 18; Rep.
11 Umberger, Carr 2; Rep. Wallner, Merr 10.

12 Part IV. LSR 21-1030, making an appropriation to the department of education for the
13 purpose of funding air quality improvements in public school buildings, sponsored by Sen Kahn,
14 Prime/Dist 10; Sen. Watters, Dist 4; Rep. Heath, Hills 14; and Rep. Myler, Merr 10.

15 Part V. LSR 21-0920, crediting excess funds in the investor education fund to the FRM
16 victim's fund, sponsored by Sen. French, Prime/Dist 7; Sen. Bradley, Dist 3; Sen. Watters, Dist 4;
17 Sen. D'Allesandro, Dist 20; Sen. Giuda, Dist 2; Sen. Gannon, Dist. 23.

18 Part VI. LSR 21-0981, relative to adequacy payments for home-schooled students, sponsored
19 by Sen. Birdsell.

20 Part VII. LSR 21-1027, making an appropriation to the department of environmental
21 services for the purpose of funding public water system projects, sponsored by Sen. Bradley,
22 Prime/Dist 3, Sen. Rosenwald, Dist 13; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Soucy,
23 Dist 18; Rep. Buco, Carr 2; Rep. Danielson, Hills 7; Rep. Leishman, Hills 24; Rep. Umberger, Carr 2.

24 Part VIII. LSR 21-1028, making an appropriation to the department of environmental
25 services for funding eligible wastewater projects, sponsored by Sen. Bradley, Prime/Dist 3; Sen.
26 Rosenwald, Dist 13; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Rep. Buco,
27 Carr 2; Rep. Danielson, Hills 7.

28 2 Legislation Enacted. The general court hereby enacts the following legislation:

29 PART I

30 Relative to annual grants to regional economic development corporations.

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1 1 New Section; Business Finance Authority; Annual Grants to Regional Economic Development
2 Corporations. Amend RSA 162-A by inserting after section 7-a the following new section:

3 162-A:7-b Annual Grants to Regional Economic Development Corporations. The sum of
4 \$200,000 is hereby appropriated annually to the authority for the purpose of providing equal grants
5 to regional economic development corporations in furtherance of the objectives set forth in RSA 162-
6 A:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not
7 otherwise appropriated. Funds appropriated to the authority under this section shall be excluded
8 from the repayment provisions of RSA 162-A:30.

9 2 Repeal. RSA 162-A:7-b, relative to annual grants to regional economic development
10 corporations, is repealed.

11 3 Effective Date.

12 I. Section 2 of part I of this act shall take effect June 30, 2031.

13 II. The remainder of part I of this act shall take effect July 1, 2021.

14 PART II

15 Establishing an animal records database.

16 1 New Sections; Animal Records Database. Amend RSA 437 by inserting after section 8 the
17 following new sections:

18 437:8-a Animal Records Database Established.

19 I. The department of agriculture, markets, and food shall design, establish, and contract
20 with a third party for the implementation and operation of an electronic system to facilitate the
21 handling of animal records.

22 II. The department shall maintain a reporting system capable of receiving electronically
23 transmitted records from veterinarians. The commissioner shall adopt rules under RSA 541-A to
24 govern methods of obtaining, compiling, and maintaining such information he or she deems
25 necessary to manage such database including procedures for providing authorized access. The
26 commissioner shall also ensure that the database is secure from unauthorized access or use.

27 III. The commissioner may issue a waiver to a veterinarian who is unable to submit
28 information by electronic means. Such waiver may permit the veterinarian to submit information by
29 paper form or other means, provided all information required by RSA 437:8 is submitted in this
30 alternative format and within the established time limit.

31 IV. The commissioner may grant a reasonable extension to a veterinarian who is unable, for
32 good cause, to submit all the information required by RSA 437:8 within the established time limits.
33 Any veterinarian who in good faith reports to the program as required by RSA 437:8 shall be
34 immune from any civil or criminal liability as the result of such good faith reporting.

35 V. There is established a nonlapsing fund to be known as the animal records database fund
36 in the department of agriculture, markets, and food which shall be kept distinct and separate from
37 all other funds. All moneys in the animal records database fund shall be nonlapsing and continually

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1 appropriated to the commissioner, and except as otherwise provided in law, shall be used for the
2 purpose of administering and maintaining the animal records database established in this section.
3 The database fund shall draw moneys only from grants and appropriations.

4 VI. Notwithstanding paragraph V, the fund shall be initiated by transfers from the
5 agricultural product and scale testing fund established under RSA 435:20, IV, as provided in RSA
6 435:20, V, and the integrated pest management fund established under RSA 430:50, as provided in
7 RSA 430:50, IV.

8 437:8-b Confidentiality.

9 I. Information submitted to the animal records database is exempt from public disclosure,
10 and shall not be subject to discovery, subpoena, or other means of legal compulsion for release.
11 Disclosure to local, state, and federal officials is not public disclosure. This exemption shall not
12 affect the disclosure of information used in official local, state, or federal animal health
13 investigations or pet vendor license investigations under this chapter. Database records,
14 information, or lists may be made available pursuant to a court order on a case-by-case basis. Any
15 information, record, or list received pursuant to this paragraph shall not be transferred or otherwise
16 made available to any other person or listed entity not authorized under this paragraph.

17 II. The department shall establish and maintain procedures to ensure the privacy and
18 confidentiality of animal and animal owner information.

19 III. The department may use and release information and reports from the program for
20 program analysis and evaluation, statistical analysis, public research, public policy, and educational
21 purposes, provided that the data are aggregated or otherwise de-identified.

22 IV. No animal records database records, information, or lists shall be sold, rented,
23 transferred, or otherwise made available in whole or in part, in any form or format, directly or
24 indirectly, to another person.

25 V. Certificates of transfer shall be removed from the animal records database after 4 years.

26 VI. Any person who knowingly accesses, alters, destroys, publishes, or discloses animal
27 records database information except as authorized in this section or attempts to obtain such
28 information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony.

29 2 Certificates of Transfer for Dogs and Cats. RSA 437:8 is repealed and reenacted to read as
30 follows:

31 437:8 Certificates of Transfer for Dogs, Cats, and Ferrets.

32 I. For purposes of this chapter, an official certificate of transfer means an electronic record
33 electronically submitted to the animal records database by a licensed veterinarian, containing the
34 name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender,
35 breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or
36 ferret, and the certification by the veterinarian that the dog, cat, or ferret is free from evidence of

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1 communicable diseases or internal or external parasites. A list of all vaccines and medication
2 administered to the dog, cat, or ferret shall be included in the certificate.

3 II. The electronically submitted certificate of transfer shall be considered the official
4 certificate of transfer. A copy of the certificate of transfer of the dog, cat, or ferret offered for
5 transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and
6 made available for inspection by the department, or local officials for up to one year after the animal
7 has left the facility. The public shall be informed of their right to inspect a copy of the certificate of
8 transfer for each dog, cat, or ferret offered for transfer by a sign prominently displayed in the area
9 where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, a copy of that
10 animal's certificate of transfer shall be given to the transferee in addition to any other documents
11 which are customarily delivered to the transferee.

12 III. For purposes of this chapter, an official certificate of transfer waiver means an electronic
13 record electronically submitted to the animal records database provided in lieu of an official
14 certificate of transfer for a dog, cat, or ferret that has failed the examination for an official certificate
15 of transfer because of a non-contagious illness, feline leukemia, or feline immunodeficiency virus.
16 The waiver shall contain the name and address of the entity transferring ownership of the dog, cat,
17 or ferret; the age, gender, breed, microchip number, tattoo number, ear tag number, or physical
18 description of the dog, cat, or ferret; the reason for failure of the examination for the official
19 certificate of transfer; and the signature of the transferee indicating that the transferee has
20 knowledge of the dog's, cat's, or ferret's non-contagious medical condition. A list of all vaccines and
21 medication administered to the dog, cat, or ferret shall be included in the certificate of transfer
22 waiver. The waiver shall be submitted electronically to the animal records database by a New
23 Hampshire licensed veterinarian.

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

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

31 VI. No animal shelter shall transfer any dog, cat or ferret that is received from outside of the
32 state without an official transfer certificate and until the quarantine requirements in 437:8, IV have
33 been met. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the other
34 requirements of this section relative to transferring dogs, cats, and ferrets except that:

35 (a) All animal shelter facilities shall have on premises a microchip scanner and shall
36 maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or
37 microchip registries.

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1 (b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos,
2 ear tags, or other permanent forms of positive identification and shall scan for a microchip upon
3 admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to
4 transferring ownership of an unclaimed or abandoned animal.

5 VII. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual
6 without first being protected against infectious diseases using vaccines approved by the state
7 veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual
8 unless accompanied by a copy of the official certificate of transfer or official certificate of transfer
9 waiver issued by a licensed veterinarian within the prior 14 days. No transfer shall occur unless the
10 transferred animal is accompanied by a copy of the official certificate of transfer or official certificate
11 of transfer waiver. The official certificate of transfer or official certificate of transfer waiver shall
12 reside in the animal records database. Copies shall be provided to the veterinarian, transferor, and
13 the transferee, who shall retain copies for their records. The transferor shall retain a copy for his or
14 her records. If an official certificate of transfer or official certificate of transfer waiver is produced, it
15 shall be prima facie evidence of transfer.

16 3 New Subparagraph; Animal Records Database Fund. Amend RSA 6:12, I(b) by inserting after
17 subparagraph (364) the following new subparagraph:

18 (365) Moneys deposited in the animal records database fund established in RSA
19 437:8-a, V.

20 4 New Paragraph; Agricultural Product and Scale Testing Fund; Transfer Authority. Amend
21 RSA 435:20 by inserting after paragraph IV the following new paragraph:

22 V. The commissioner shall transfer funds from the agricultural product and scale testing
23 fund established under RSA 435:20, IV to the animal records database fund established in RSA
24 437:8-a to develop and make operational the animal records database. The commissioner shall
25 certify to the secretary of state and the director of the office of legislative services the date on which
26 the animal records database is operational. For 2 years after such certification, if needed for
27 database operation and maintenance, the commissioner may continue to transfer additional funds
28 from the agricultural product and scale testing fund to the animal records database fund for this
29 purpose.

30 5 New Paragraph; Integrated Pest Management Fund; Transfer Authority. Amend RSA 430:50
31 by inserting after paragraph III the following new paragraph:

32 IV. The commissioner shall transfer funds from the integrated pest management fund
33 established in this section to the animal records database fund established in RSA 437:8-a to develop
34 and make operational the animal records database. The commissioner shall certify to the secretary
35 of state and the director of the office of legislative services the date on which the animal records
36 database is operational. For 2 years after such certification, if needed for database operation and

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1 maintenance, the commissioner may continue to transfer additional funds from the integrated pest
2 management fund to the animal records database fund for this purpose.

3 6 Repeals. The following are repealed:

4 I. RSA 430:50, IV, relative to the authority of the commissioner of the department of
5 agriculture, markets, and food to transfer funds from the integrated pest management fund.

6 II. RSA 435:20, V, relative to the authority of the commissioner of the department of
7 agriculture, markets, and food to transfer funds from the agricultural product and scale testing fund.

8 7 Health Certificates; Renamed Transfer Certificates. Amend RSA 437:8 to read as follows:

9 437:8 ~~[Health]~~ **Transfer** Certificates for Dogs, Cats, and Ferrets.

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

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

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

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

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1 V. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the requirements of
2 this section relative to transferring dogs, cats, and ferrets except that:

3 (a) All animal shelter facilities shall have on premises a microchip scanner and shall
4 maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or
5 microchip registries.

6 (b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos,
7 ear tags, or other permanent forms of positive identification and shall scan for a microchip upon
8 admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to
9 transferring ownership of an unclaimed or abandoned animal.

10 VI. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual
11 without first being protected against infectious diseases using a vaccine approved by the state
12 veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual
13 unless accompanied by an official ~~[health]~~ **transfer** certificate issued by a licensed veterinarian. No
14 transfer shall occur unless the transferred animal is accompanied by a ~~[health]~~ **transfer** certificate
15 issued within the prior 14 days. The certificate shall be in triplicate, one copy of which shall be
16 retained by the signing veterinarian, one copy of which shall be for the licensee's records, and one
17 copy of which shall be given to the transferee upon transfer as provided in paragraph III. If an
18 official ~~[health]~~ **transfer** certificate is produced, it shall be prima facie evidence of transfer. The
19 signing veterinarian shall provide a copy of the ~~[health]~~ **transfer** certificate to the department of
20 agriculture, markets, and food upon request.

21 8 Applicability; Effective Dates.

22 I. Section 2 of this act shall take effect when the commissioner of the department of
23 agriculture, markets, and food certifies to the secretary of state and the director of the office of
24 legislative services that the animal records database established in RSA 437:8-a is operational.

25 II. Section 6 of this act shall take effect 2 years from the date on which the commissioner of
26 the department of agriculture, markets, and food certifies to the secretary of state and the director of
27 the office of legislative services, that the animal records database established in RSA 437:8-a is
28 operational.

29 9 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2023 is hereby
30 appropriated to the department of agriculture, markets, and food for the maintenance of the animal
31 records database. These appropriations are in addition to any other funds appropriated to the
32 department of agriculture, markets, and food. The governor is authorized to draw a warrant for said
33 sums out of any money in the treasury not otherwise appropriated.

34 10 Position Established. The classified position of IT Manager III is established in the
35 department of information technology to develop and administer the animal records database
36 established in RSA 437:8-a.

37 11 Effective Date.

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I. Section 2 of this act shall take effect as provided in paragraph I of section 8 of this act.

II. Section 6 of this act shall take effect as provided in paragraph II of section 8 of this act.

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

PART III

Making an appropriation for affordable housing.

1 Affordable Housing Fund; Appropriation. The sum of \$5,000,000 for the fiscal year ending June 30, 2022, and the sum of \$5,000,000 for the fiscal year ending June 30, 2023, are hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57. The appropriations shall be in addition to any other funds appropriated to the housing finance authority. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2 Effective Date. Part III of this act shall take effect 60 days after its passage.

PART IV

Making an appropriation to the department of education for the purpose of
funding air quality improvements in public school buildings.

1 Appropriation; Department of Education.

I. The sum of \$20,000,000 for the biennium ending June 30, 2023 is hereby appropriated to the commissioner of the department of education for funding testing, equipment purchases, and installation of heating, ventilation, and air conditioning upgrades and air quality improvement in public school buildings. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department of education shall establish criteria for awarding funds, the share of total project cost to be matched from this operating budget appropriation, and, if deemed appropriate to fund more projects, set a limit of state matching funds for any one project.

2 Effective Date. Part IV of this act shall take effect July 1, 2022.

PART V

Crediting excess funds in the investor education fund to the FRM victim's fund.

1 New Paragraph; FRM Victims' Contribution Recovery Fund. Amend RSA 359-P:2 by inserting after paragraph I the following new paragraph:

I-a. In addition to the funds contributed under paragraph I, the fund shall also consist of the amount contributed under RSA 421-B:6-601(j).

2 New Subparagraph; Uniform Securities Act; Administration of Chapter; Investor Education Fund. Amend RSA 421-B:6-601 by inserting after subparagraph (i) the following new subparagraph:

(j) Any excess of the funds credited to the general fund pursuant to paragraph (h) up to \$500,000 per fiscal year shall be contributed to the FRM victims' contribution recovery fund established in RSA 359-P:2.

3 Repeal. The following are repealed:

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1 I. RSA 359-P:2, I-a, relative to funds contributed pursuant to RSA 421-B:6-601(j).

2 II. RSA 421-B:6-601(j), relative to moneys contributed to the FRM victims' contribution
3 recovery fund.

4 4 Effective Date.

5 I. Section 3 of part V of this act shall take effect July 1, 2024.

6 II. The remainder of part V of this act shall take effect June 30, 2021.

7 PART VI

8 Relative to adequacy payments for home-schooled students.

9 1 Adequate Education; Definitions; Average Daily Membership in Attendance. Amend RSA
10 198:38, I(b) to read as follows:

11 (b) For the purpose of calculating ADMA, each pupil who is home educated in
12 compliance with RSA 193-A and who is enrolled in a *kindergarten through grade 12* school board
13 approved public [high] school academic course shall count as an additional 0.15 pupil for each such
14 academic course taken in a public [high] school. ~~[The department of education shall only make grant~~
15 ~~payments for such pupils to the extent of available appropriations. In this subparagraph, "public~~
16 ~~high school" shall have the same meaning as "high school" as defined in RSA 194:23.]~~

17 2 Effective Date. Part VI of this act shall take effect 60 days after its passage.

18 PART VII

19 Making an appropriation to the department of environmental services for
20 the purpose of funding public water system projects.

21 1 Department of Environmental Services; Appropriation. There is hereby appropriated to the
22 department of environmental services the sum of \$500,000 for the fiscal year ending June 30, 2022
23 and \$500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of
24 funding public water system projects under RSA 486-A. The governor is authorized to draw a
25 warrant for said sum out of any money in the treasury not otherwise appropriated.

26 2 Effective Date. Part VII of this act shall take effect July 1, 2021.

27 PART VIII

28 Making an appropriation to the department of environmental services for
29 funding eligible wastewater projects.

30 1 Department of Environmental Services; Appropriation. There is hereby appropriated to the
31 department of environmental services the sum of \$5,735,248 for the fiscal year ending June 30, 2022
32 and \$6,919,115 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of
33 funding eligible wastewater projects under RSA 486. The governor is authorized to draw a warrant
34 for said sums out of any money in the treasury not otherwise appropriated.

35 2 Effective Date. Part VIII his act shall take effect July 1, 2021.

SB 127-FN-A-LOCAL- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2021-0861s)

AN ACT adopting omnibus legislation on appropriations.

PART I: Relative to annual grants to regional economic development corporations,

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$200,000	\$200,000	\$200,000
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$200,000	\$200,000	\$200,000
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other-			

COUNTY:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This section appropriates \$200,000 in FY 2022 and each year thereafter until FY 2031 from moneys not otherwise appropriated to the Business Finance Authority for the purpose of providing equal grants to regional economic development corporations in furtherance of the objectives of RSA 162-A:1, including preservation and development of business and industry for the betterment of the economy of the state and its inhabitants. It is unclear if county and local government would be eligible to directly receive these grants since it specifies the grants are for regional economic development corporations. RSA 162-A:2, XII provides a definition for local development organization which includes regional development corporation. This definition also states "The term "local development organization" shall include a town, city or county if such town, city or county has published written procedures for participating in economic development activities through the loaning of funds or the enhancement of credit".

AGENCIES CONTACTED:

None

PART II: Establishing an animal records database.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$250,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Agricultural product and scale testing fund, integrated pest management fund, and the animal records database fund			

METHODOLOGY:

This bill creates a database for animal health records and authorizes the commissioner of the Department of Agriculture, Markets, and Food to transfer money from certain funds in order to establish the database. The authority of the Commissioner to transfer from these funds for this purpose shall continue for 2 years after the animal records database becomes operational. This bill does not require the commissioner to reimburse these other funds.

The Department of Agriculture, Markets and Food makes the following assumptions regarding the fiscal impact of this bill:

- Based on data available from the American Veterinary Medical Association regarding pet ownership, the Department estimates over 45,000 health certificates will be issued annually.
- A maximum of 2.5 existing full-time staff would be committed to this work. Any work beyond those resources would not get done without additional resources.
- The Department assumes the intent is for electronic submission of all files directly into the database since there are no new positions included for data entry or record maintenance and there is no requirement for the Department to retain hard copy records.
- Dog licensing and animal control will remain local responsibilities and the submission of information to the health records database will improve the efficiency of the process by allowing town clerks to access the records for animals within their zip code.
- Based on discussions with possible vendors, the database would cost between \$675,000 and \$1,000,000 for the initial purchase and \$300,000 for annual maintenance. The Department assumes, once the bill becomes effective, a minimum of 24 months would be required for implementation.

The Department of Information Technology provided the annual cost information for the IT Manager position established in section 9 of the bill. The annual costs for an IT Manager III position, including salary, benefits, necessary IT equipment and licenses will be \$115,000 in FY 2022, \$118,000 in FY 2023 and \$119,000 in FY 2024. The Department indicates existing space is available for this position and there would be no additional cost for office space.

The bill also provides that any person who knowingly accesses, alters, destroys, or discloses program information (except as authorized in the bill), or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony. There is no information available on how many additional felony cases may be brought as a result of this bill, but the Judicial Branch has provide cost estimates for felony cases. The estimated average cost to the Judicial Branch of a simple criminal case is \$309 for fiscal years 2021 and 2022. The estimated average cost for a routine criminal felony case is \$494. These amounts do not include the cost of possible appeals. It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing time for the these cases.

It is assumed any fiscal impact would occur after July 1, 2021.

AGENCIES CONTACTED:

Department of Agriculture, Markets and Food and Judicial Branch

PART III: Making an appropriation for affordable housing.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$5,000,000	\$5,000,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$5,000,000	\$5,000,000	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other-			

METHODOLOGY:

This section makes a general fund appropriation of \$5 million in FY 2022 and \$5 million in FY 2023 to the New Hampshire Housing Finance Authority for deposit into the affordable housing fund.

AGENCIES CONTACTED:

None

PART IV: Making an appropriation to the department of education for the purpose of funding air quality improvements in public school buildings.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	Not to Exceed \$20M Over the Biennium	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	Indeterminable Increase (Not to Exceed \$20M Over the Biennium)	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other-			

LOCAL:

Revenue	\$0	\$0	Indeterminable Increase (Not to Exceed \$20M)	\$0
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section provides a general fund appropriation of \$20,000,000 to the Department of Education for the purpose of providing grants to public school districts for testing, equipment purchases, and installation of heating, ventilation, and air conditioning upgrades and air quality improvement. Since this section is effective July 1, 2022, all grants would be paid in FY 2023. Any unexpended portion of the appropriation as of June 30, 2023, would lapse to the general fund.

AGENCIES CONTACTED:

Department of Education

PART V: Crediting excess funds in the investor education fund to the FRM victim's fund.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other-FRM Victims' Recovery Fund			

METHODOLOGY:

This section requires that a certain amount of excess money from the investor education fund be deposited in the FRM Victims' Recovery Fund instead of the State General Fund. The Bureau of Securities Regulation indicates this bill would require up to \$500,000 of the amount in excess of \$725,000 from the Investor Education Fund to be deposited in the FRM Victims' Recovery Fund. Under current law, amounts in excess of \$725,000 are deposited in the State General Fund. The Bureau indicates the excess has exceeded \$500,000 for the last three years but notes there is no guarantee this would be the case in any given fiscal year. The fiscal impact of this section of the bill will be a decrease of up to \$500,000 in State General Fund revenue and an increase of up to \$500,000 in FRM Victims' Recovery Fund revenue for FY 2021-FY 2024.

AGENCIES CONTACTED:

Department of State, Bureau of Securities Regulation

PART VI: Relative to adequacy payments for home-schooled students.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input type="checkbox"/> General <input checked="" type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other-			

LOCAL:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section expands eligibility for Adequacy Aid to all grade levels (kindergarten-grade 12) from the current grades 9-12 for home-schooled students taking academic classes. The Department of Education does not have information on attendance for kindergarten-grade 8 taking classes and cannot estimate a fiscal impact on FY21 Adequacy Aid, state expenditures or local revenue. The earliest date to implement this section would be for FY22 Adequacy Aid.

AGENCIES CONTACTED:

Department of Education

PART VII: Making an appropriation to the department of environmental services for the purpose of funding public water system projects.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$500,000	\$500,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other-

COUNTY:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This section makes nonlapsing appropriations to the Department of Environmental Services for the purpose of funding public water system projects under RSA 486-A. The Department of Environmental Services states the bill would fund new grants to public water systems under RSA 486-A for the first time in over a decade. The Department currently has no staff, forms, databases or internal processes for administering grants under RSA 486-A for public water systems. The Department assumes it will need an additional part-time Environmentalist IV

position to administer the program. The estimated cost for this half-time position would be \$57,500 in FY 2022 and \$55,500 in FY 2023 including benefits, office space and other operating expenses. RSA 486-A provides State contributions of 20 percent of the annual amortization charges, (principal and interest) for construction projects undertaken to comply with the EPA rules or rules of the Department adopted to implement the federal Safe Drinking Water Act amendments of 1986. The State may pay up to 25 percent of the eligible water supply land protection costs. The Department assumes an annual amount of \$500k available to payback a portion of loans over 10-30 years would provide a meaningful impact for a large number of water systems. If the program instead issued lump sum grants, the \$500k annual appropriation would fund a limited number of grants each year. Because grants may support projects that are bonded or provide lump sum payments for non-bonded projects, it is difficult for the Department to determine the amount of annual expenditures.

The Department reports it may be unlikely that additional projects would pursue funding to achieve compliance with the surface water quality rule at this time as water systems in NH currently comply with the water treatment rules of the EPA.

AGENCIES CONTACTED:

Department of Environmental Services

PART VIII: Making an appropriation to the department of environmental services for funding eligible wastewater projects.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$5,735,248	\$6,919,115	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$5,735,248	\$6,919,115	\$6,596,985
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other-

LOCAL:

Revenue	\$0	\$5,735,248	\$6,919,115	\$6,596,985
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section makes appropriations to the Department of Environmental Services for the purpose of funding eligible wastewater projects under RSA 486.

The Department of Environmental Services indicates the fiscal year expenditures above are equal to the principal and interest for State Aid Grant projects calculated using the standard Clean Water State Revolving Fund 20-year loan amortization with equal principal, at the current rate of 2.0% during the repayment term. The project amounts include a 20% contingency to allow for project cost increases, variances in State Aid eligibility and/or projects with financing other than the standard loan amortization (such as; reserve funds, alternate rates or amortization structures). The principle and interest payments over the 20-year loan amortization period are estimated to be \$115.3 million.

AGENCIES CONTACTED:

Department of Environmental Services