

Amendment to SB 132-FN

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

2

3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-939, establishing a COVID-19 micro enterprise relief fund, sponsored by Sen.
5 Prentiss, Prime/Dist 5; Sen. Whitley, Dist 15; and Sen. Sherman, Dist. 24.

6 Part II: LSR 21-0946, requiring a COVID-19 needs assessment of nursing homes and long-term
7 care facilities and making an appropriation therefor, sponsored by Sen. Rosenwald, Prime/Dist 13;
8 Sen. Cavanaugh, Dist 16; Sen. Whitley, Dist 15; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5;
9 Sen. Sherman, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Rep. McMahon, Rock 7;
10 Rep. Rogers, Merr 28; and Rep. Nordgren, Graf 12; Rep. Klee, Hills 30.

11 Part III: LSR 21-1058, relative to support and promotion of New Hampshire's live performance
12 industry to the council on the arts, sponsored by Sen. Whitley, Prime/Dist 15; Sen. Perkins Kwoka,
13 Dist 21; Rep. McWilliams, Merr 27; Rep. Espitia, Hills 31; Rep. Fenton, Ches 8; and Rep. Wilhelm,
14 Hills 42.

15 2 Legislation Enacted. The general court hereby enacts the following legislation:

16

17 PART I

18 Establishing a COVID-19 micro enterprise relief fund.

19 1 Findings.

20 I. On March 13, 2020, the governor signed the first declaration of a state of emergency due
21 to COVID-19. As of January 1, 2021, this order has been extended 14 times.

22 II. Between March 26, 2020 and June 16, 2020, a "Stay at Home" order had been in-place
23 under the authority of the governor as measure to prevent the spread of COVID-19. This order
24 included the closing of schools, prohibited gatherings of 10 or more people, and limited business
25 operations that were not considered essential.

26 III. Between March and August of 2020, 449 New Hampshire business closed temporarily or
27 permanently, with 280 remaining closed.

28 IV. New Hampshire began "reopening" on May 11, 2020 with restrictions, some of which
29 remain in place today and continue to impact the micro enterprise sector, those businesses with
30 between 1 and 5 employees including the proprietor. According to the Small Business
31 Administration, Office of Advocacy, there are 25,478 business with between 1-19 employees and
32 101,795 non-employer businesses.

Amendment to SB 132-FN
- Page 2 -

1 V. It is incumbent upon the state government to take prompt, proactive, and continuing
2 action to protect the economic health of New Hampshire communities through building out the
3 infrastructure and sustainability of micro enterprises.

4 2 New Subdivision; COVID-19 Micro Enterprise Relief Fund. Amend RSA 12-O by inserting
5 after section 52 the following new subdivision:

6 COVID-19 Micro Enterprise Relief Fund

7 12-O:53 COVID-19 Micro Enterprise Relief Fund.

8 I. There is established in the office of the state treasurer a fund to be known as the COVID-
9 19 micro enterprise relief fund. Notwithstanding RSA 4:45, RSA 4:47, RSA 21-P:43, or any other law
10 to the contrary, to the extent permissible under federal law \$3,000,000 of any federal funds received
11 by the state in response to the COVID-19 public health emergency shall be deposited into the fund,
12 provided that at no time shall the balance of the fund exceed \$3,000,000 in any fiscal year.

13 II. Funds shall be disbursed at the discretion of the commissioner to the 10 New Hampshire
14 regional economic development corporations to be awarded to local or regional micro enterprises.
15 Each regional development corporation shall receive up to \$300,000. Each regional development
16 economic council shall be authorized to assess an administrative fee up to 10 percent of the funds
17 received through the state to manage this grant program. Any regional economic development
18 corporation that does not award all of the funds received in grants to local micro enterprises shall
19 return the funds to micro enterprise relief fund at the department of business and economic affairs
20 for redistribution at the discretion of the commissioner.

21 III. With each award, an agreement for technical assistance shall be put in place between
22 the regional development corporation, the New Hampshire small business development center, and
23 the micro enterprise to support the implementation of the funds. 18 months after the
24 implementation of the program, the regional economic development councils will prepare and submit
25 reports to the commissioner, that include the number of grants and the amounts, and the use of each
26 grant by the recipient. The commissioner shall compile these reports and submit a compiled report
27 to the speaker of the house of representatives, the senate president, the house clerk, the senate
28 clerk, the state library, and the governor.

29 IV. Regional economic development corporations shall award one-time grants of up to
30 \$25,000 to support one or more areas of need, including development of e-commerce capabilities,
31 upgrading business practices, or maintaining storefront presence. The regional economic
32 development corporations shall ensure micro enterprises awarded grants pursuant to this
33 subdivision are provided such assistance as may be necessary to support implementation of any
34 grants awarded.

35 V. For purposes of this subdivision, "micro enterprise" shall mean an entity with 10 or fewer
36 employees, including any proprietor, that has been in business prior to March 13, 2020, when the
37 governor signed the first declaration of a state of emergency due to COVID-19 and that has a

Amendment to SB 132-FN
- Page 3 -

1 demonstrated a financial impact during the COVID-19 public health emergency, such as temporary
2 closure, reduction in workforce, or loss of revenue of 50 percent or greater when compared to the
3 same time period during the previous year. Financial statements demonstrating losses, closures, or
4 reduction in workforce shall be supplied as part of the application process.

5 3 New Subparagraph; Application of Receipts; COVID-19 Micro Enterprise Relief Fund. Amend
6 RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

7 (365) Moneys deposited into the COVID-19 micro enterprise relief fund established
8 in RSA 12-O:53.

9 4 Effective Date. Part I of this act shall take effect upon its passage.

11 PART II

12 Requiring a COVID-19 needs assessment of nursing homes and long-term care facilities and making
13 an appropriation therefor.

14 1 Short Title. This act shall be known as the Protect New Hampshire Veterans and Seniors Act
15 of 2021.

16 2 New Subdivision; COVID-19 Nursing Home and Long-Term Care Audit. Amend RSA 151-E
17 by inserting after section 21 the following new subdivision:

18 COVID-19 Nursing Home and Long-Term Care Audit

19 151-E:22 COVID-19 Nursing Home and Long-Term Care Audit. The commissioner of the
20 department of health and human services shall issue a request for proposals for a qualified grantee,
21 with the approval of governor and council, to undertake an independent audit of the COVID-19
22 situation in long-term care and nursing homes in New Hampshire and provide a needs assessment
23 to provide recommendations for further COVID-19 related funding, safety, and public health
24 upgrades, standards and rules for nursing homes, nursing facilities, residential care facilities, long
25 term care facilities, and the New Hampshire veterans' home, and providing a preparedness plan for
26 COVID-19 at such facilities, to be submitted to the governor, the chairpersons of the house and
27 senate finance committees, the chairpersons of the senate health and human services committee and
28 the house health, human services and elderly affairs committee, and the health and human services
29 oversight committee established in RSA 126-A:13, no later than November 1, 2021. All information
30 received or created by the department related to the inspection or survey results of licensed health
31 care facilities may be shared with the grantee, except that protected health information or
32 personally identifiable information shall not be shared with the grantee for any reason. All
33 information which is received by the grantee for the purposes of this section, and which otherwise
34 constitutes confidential information pursuant to state law, shall remain confidential, and shall
35 receive the protections afforded to such confidential information under existing state law.

36 3 Appropriation. The sum of \$250,000 is hereby appropriated for the fiscal year ending June 30,
37 2022 to the commissioner of the department of health and human services from federal COVID-19

Amendment to SB 132-FN
- Page 4 -

1 relief funds for the purpose of hiring a qualified grantee as required in RSA 151-E:22. If such federal
2 funds are unavailable, the governor is authorized to draw a warrant for said sum out of any money
3 in the treasury not otherwise appropriated for the purpose of section 2 of this act.

4 4 Effective Date. Part II of this act shall take effect upon its passage.

6 **PART III**

7 Relative to the support and promotion of New Hampshire's live performance industry by the council
8 on the arts.

9 1 Title. This act shall be known and may be cited as the Save Our Granite Stages Act.

10 2 Purpose Statement. Independent live venues are important entertainment hubs and economic
11 multipliers for New Hampshire's local economies. They serve as critical tax bases as employers and
12 tourism destinations and as revenue generators for neighboring businesses such as restaurants,
13 hotels, and retail. The cultural impact of New Hampshire's independent live venues is difficult to
14 calculate and serves as an important draw for young people to the state. Unfortunately, these
15 businesses were among the first to close as COVID-19 spread across the country, will likely be the
16 last to reopen, and will take years to recover if they can stay in business at all. Smaller venues with
17 a capacity of 300 or less are being impacted the most by the COVID-19 economic and public health
18 crisis. This act provides targeted assistance and long-term planning support and recognizes the
19 importance of independent live venues to New Hampshire's economy.

20 3 Council on the Arts; Declaration of Policy. Amend RSA 19-A:1 to read as follows:

21 19-A:1 Declaration of Policy. It is hereby found that many of our citizens lack the opportunity to
22 view, enjoy or participate in living theatrical performances, musical concerts, operas, dance and
23 ballet recitals, art exhibits, examples of fine architecture, and the performing and fine arts
24 generally. It is hereby further found that, with increasing leisure time, the practice and enjoyment
25 of the arts are of increasing importance and that the general welfare of the people of the state will be
26 promoted by giving further recognition to the arts as a vital aspect of our culture and heritage and as
27 a valued means of expanding the scope of our educational programs. ***It is hereby further found***
28 ***that arts organizations and businesses are important entertainment hubs and economic***
29 ***multipliers for New Hampshire's local economies. They serve as critical tax bases as***
30 ***employers and tourism destinations and as revenue generators for neighboring businesses***
31 ***such as restaurants, hotels, and retail. The cultural impact of New Hampshire's creative***
32 ***sector is difficult to calculate and serves as an important draw for young people to the***
33 ***state.*** It is hereby declared to be the policy of the state to join with private patrons and with
34 institutions and professional organizations concerned with the arts to insure that the role of the arts
35 in the life of our communities will continue to grow and will play an ever more significant part in the
36 welfare and educational experience of our citizens. It is further declared that all activities
37 undertaken by the state in carrying out this policy shall be directed toward encouraging and

Amendment to SB 132-FN
- Page 5 -

1 assisting rather than in any ways limiting the freedom of artistic expression that is essential for the
2 well-being of the arts.

3 4 Council on the Arts; Report. Amend RSA 19-A:7 to read as follows:

4 19-A:7 Reports. The council shall make biennial reports to the governor and council. ***The***
5 ***council's strategic plan and biennial report under this section shall address the activities***
6 ***related to the Save Our Granite Stages Fund created under RSA 19-A:15.***

7 5 New Subdivision; Council on the Arts; Save Our Granite Stages Fund. Amend RSA 19-A by
8 inserting after section 14 the following new subdivision:

9 Save Our Granite Stages Fund

10 19-A:15 Save Our Granite Stages Fund. There is hereby established the save our granite stages
11 fund, which shall be appropriated for fiscal year 2022 to the New Hampshire state council on the
12 arts for the purpose of providing grants to both non-profit and for-profit live venues that did not
13 receive a grant from the federal Shuttered Venue Operators (SVO) program, which was established
14 by Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act (P.L. 116-260). The fund
15 shall be nonlapsing and kept separate and distinct from all other funds. Notwithstanding any other
16 provision of law, \$1,000,000 of any discretionary federal funds received by the state in response to
17 the COVID-19 public health emergency shall be deposited into the fund. In addition to state
18 appropriations, the council may accept grants, gifts, and donations for deposit in the fund.

19 6 New Subparagraph; Dedicated Funds; Save our Granite Stages Fund. Amend RSA 6:12, I(b)
20 by inserting after subparagraph (364) the following new subparagraph:

21 (365) Moneys deposited in the save our granite stages fund under RSA 19-A:16.

22 7 Repeal. RSA 19-A:15 and RSA 6:12, I(b)(365), as inserted by sections 5 and 6 of Part III of this
23 act, respectively, are repealed.

24 8 Effective Date.

25 I. Section 7 of Part III of this act shall take effect June 30, 2023.

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

Amendment to SB 132-FN
- Page 6 -

2021-0452s

AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. Establishing a COVID-19 micro enterprise relief fund.
- III. Requiring a COVID-19 needs assessment of nursing homes and long-term care facilities and making an appropriation therefor.
- III. The support and promotion of New Hampshire's live performance industry by the council on the arts.