

**HOUSE FINANCE - DIVISION 2  
HB 1 and HB 2 PROPOSED AMENDMENTS**

<b>HB 1</b>				
<b>Section</b>	<b>Bill Page</b>	<b>Section Title</b>	<b>Recommendation</b>	<b>Packet Page</b>
<b>NONE</b>				

<b>HB 2</b>				
<b>Section</b>	<b>Bill Page</b>	<b>Section Title</b>	<b>Recommendation</b>	<b>Packet Page</b>
45	22	Differential Aid Calculation For Pupils Eligible for a Free or Reduced Price Meal; Fiscal Year 2022.	Amend (1030h)	2
47	22	Education Trust Fund; Tobacco Settlement Funds.	Amend (0693h)	3
48-50	23-24	Public School Infrastructure Fund.	Amend (0957h)	5
68	30	Crisis Intervention Team Training; Appropriation.	Delete (0712h)	7
116-120	50-53	New Chapter; New Hampshire College and University System Board of Trustees; USNH and CCSNH Governance.	Amend (0986h)	8
133	61	Liability for Obstruction or Injury to Highway; Civil Liability.	Amend (0895h)	11
144	63	Department of Safety; Fund Transfer; Authorization.	Amend (0686h)	12
145-148	63-65	New Sections; Body-Worn Cameras.	Amend (0921h)	13
		Commission to Study Establishment of Statewide Entity to Receive Complaints of Misconduct; Appropriation.	Amend (0922h)	15
160-168	68-75	State Scholarship Programs; Workforce Development Student Debt Relief Program and Commission	Amend (0907h)	17
NEW	NEW	Community College System of New Hampshire; Dual and Concurrent Enrollment Program.	Amend (0852h)	21
NEW	NEW	Dual and Concurrent Enrollment Program; Appropriation.	Amend (0988h)	23
NEW	NEW	New Paragraph; Ten Year Plan for Grant Projects.	Amend (0918h)	24
NEW	NEW	School Building Aid; Annual Grant for Leased Space.	Amend (0894h)	25
NEW	NEW	New Paragraph; Kindergarten Adequate Education Grants.	Amend (0980h)	26
NEW	NEW	School Planning Committees; Vacancies.	Amend (0782h)	27
NEW	NEW	Appropriation; Education Trust Fund.	Amend (1027h)	29
NEW	NEW	Appropriation; Department of Transportation; Department of Education.	Amend (1032h)	30
NEW	NEW	Education Tax Revenue; Fiscal Year 2023.	Amend (1033h)	31

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 45 with the following:

2

3 45 Certain Differential Aid Calculations; Fiscal Year 2022.

4 I. For the fiscal year ending June 30, 2022, the department of education shall divide each  
5 pupil in the ADMA who is eligible for a free or reduced price meal by the average daily member in  
6 attendance (ADMA), defined in RSA 198:38, for each district and town for school year 2019-2020.  
7 The percentage shall be applied to the ADMA for school year 2020-2021 to establish a new  
8 calculation of ADMA for who is eligible for a free or reduced price meal. The greater of the ADMA of  
9 pupils who are eligible for a free or reduced price meal for school year 2020-2021 and the new  
10 calculation based on the previous year's percentage shall be used to calculate the differential aid  
11 under RSA 198:40-a, II(b).

12 II. When determining ADMA for third grade pupils scoring below proficiency on the reading  
13 component of the state assessment as required by RSA 198:40-a, II(e) for the fiscal year ending June  
14 30, 2022, the commissioner of the department of education shall compare the ADMA for this  
15 category of differentiated aid in school year 2018-2019 and school year 2020-2021. The greater  
16 ADMA shall be used to calculate the cost of an opportunity for an adequate education under RSA  
17 198:40-a, II(e) for the fiscal year ending June 30, 2022.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 47 with the following:

2

3 47 Education Trust Fund Created and Invested. Amend RSA 198:39, I to read as follows:

4 I. The state treasurer shall establish an education trust fund in the treasury. Moneys in  
5 such fund shall not be used for any purpose other than to distribute adequate education grants to  
6 municipalities' school districts and to approved charter schools pursuant to RSA 198:42, to provide  
7 low and moderate income homeowners property tax relief under RSA 198:56-198:61, **to distribute**  
8 **school building aid to school districts and approved chartered public schools pursuant to**  
9 **RSA 198:15-b, to distribute tuition and transportation funds to school districts for students**  
10 **attending career and technical education programs pursuant to RSA 188-E:9, to distribute**  
11 **special education aid to school districts pursuant to RSA 186-C:18, and to fund kindergarten**  
12 **programs as may be determined by the general court. The state treasurer shall deposit into this**  
13 **fund immediately upon receipt:**

14 (a) Funds certified to the state treasurer by the commissioner of revenue administration  
15 pursuant to RSA 77-A:20-a, relative to business profits taxes.

16 (b) Funds certified to the state treasurer by the commissioner of revenue administration  
17 pursuant to RSA 77-E:14, relative to business enterprise tax.

18 (c) Funds collected and paid over to the state treasurer by the commissioner of revenue  
19 administration pursuant to RSA 78-A:26, III relative to the tax on motor vehicle rentals.

20 (d) Funds collected and paid over to the state treasurer by the department of revenue  
21 administration pursuant to RSA 78:24, relative to tobacco taxes.

22 (e) Funds certified to the state treasurer by the commissioner of revenue administration  
23 pursuant to RSA 78-B:13, relative to real estate transfer taxes.

24 (f) Funds collected and paid over to the state treasurer by the department of revenue  
25 administration pursuant to RSA 83-F:7, I, relative to the utility property tax.

26 (g) [Repealed.]

27 (h) All moneys due the fund in accordance with RSA 284:21-j, relative to sweepstakes  
28 and the lottery.

29 (i) Tobacco settlement funds in the amount of \$40,000,000 [~~annually~~] or, **for any year**  
30 **in which the total tobacco settlement funds received by the state is less than \$40,000,000,**  
31 **the total amount of tobacco settlement funds received by the state.**

32 (j) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4

**Amendment to HB 2-FN-A-LOCAL**  
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- 1    which were apportioned to school districts in the property tax rate calculations in 1998.
- 2                   (k) Funds collected and paid over to the state treasurer by the lottery commission
- 3    pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.
- 4                   (l) Any other moneys appropriated from the general fund.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 48-50 with the following:

2

3 48 Transfer; Education Trust Fund. The comptroller shall transfer the following amounts from  
4 the education trust fund to the public school infrastructure fund established in RSA 198:15-y:  
5 \$1,000,000 on July 1, 2021 and \$1,000,000 on July 1, 2022.

6 49 Public School Infrastructure Fund. Amend RSA 198:15-y to read as follows:

7 198:15-y Public School Infrastructure Fund.

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

12 II. There is hereby established in the office of the state treasurer the public school  
13 infrastructure fund which shall be kept distinct and separate from all other funds and which shall be  
14 administered by the department of education. After transferring sufficient funds to the revenue  
15 stabilization reserve account to bring the balance of that account to \$100,000,000, the state treasurer  
16 shall transfer the remainder of the general fund surplus for fiscal year 2017, as determined by the  
17 official audit performed pursuant to RSA 21-I:8, II(a), to the fund. Any earnings on fund moneys  
18 shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated.  
19 The department of education may retain up to 3 percent of the total annual appropriation of the  
20 public school infrastructure fund on or after July 1, 2019, to be used to administer the public school  
21 infrastructure program. ~~[Any unexpended or unencumbered balance as of June 30, 2021 shall be  
22 transferred to the general fund.]~~

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

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

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

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

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

6           (e) A school building or infrastructure proposal which is necessary to comply with  
7 Americans with Disabilities Act (ADA) regulations.

8           (f) ***Energy efficient school buses or other vehicles used for transportation of***  
9 ***students.***

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

13           ***IV. In order for a school to be eligible for a grant from the public school***  
14 ***infrastructure fund, the public school infrastructure commission in consultation with the***  
15 ***department of education shall determine that the school has a need unmet by federal***  
16 ***stimulus funds for the project.***

17           50 Repeal. 2017, 156:72, relative to the prospective repeal of the public school infrastructure  
18 fund and commission, is repealed.

Rep. Umberger, Carr. 2  
March 9, 2021  
2021-0712h  
08/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 68.

*Deletes HB 2 appropriation, as the  
funding for Police Standards and  
Training Council Crisis Intervention  
Team Training is included in HB 1  
(06-87-87-871010-6639-102)*

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 116-120 with the following:

2

3 116 New Chapter; New Hampshire Higher Education Merger Assessment Commission  
4 (HEMAC). Amend RSA by inserting after chapter 188-H the following new chapter:

5

CHAPTER 188-I

6

NEW HAMPSHIRE HIGHER EDUCATION MERGER ASSESSMENT COMMISSION (HEMAC)

7 188-I:1 Findings. The general court finds that affordable access to public higher education at all  
8 levels is essential to the health, welfare, and security of all New Hampshire citizens and to the  
9 future vitality of the state. To be effective, public higher education must respond to the changing  
10 needs and interests of citizens and employers while ensuring those services remain affordable and  
11 accessible. The exploration of a single, well-coordinated system of public higher education at all  
12 levels, pursuing the unique and diverse missions of its member institutions, offering seamless access  
13 to and between all levels of higher education, adapting to the rapidly evolving challenges facing all of  
14 higher education, and governed by a unified board of trustees, may be an efficient and effective  
15 means for meeting the needs of the citizens and the state.

16 188-I:2 Purpose. The commission is established to explore, study, and assess the potential for  
17 establishing a collaborative and strategic merging of the university system of New Hampshire,  
18 established in RSA 187-A, and the community college system of New Hampshire, established in RSA  
19 188-F. The goal of the commission shall be to determine if a unified system of public higher  
20 education is, in all respects, beneficial to the citizens of New Hampshire, and if so, to recommend  
21 legislation to provide for the implementation of a coordinated, comprehensive system of public  
22 higher education.

23 188-I:3 Membership.

24 I. The membership of the commission shall be as follows:

25 (a) Four members appointed by the university system of New Hampshire, one of whom  
26 shall be the chairperson of the board of trustees and one of whom shall be the chief executive or chief  
27 administrator. The additional 2 members shall be selected by the board of trustees.

28 (b) Four members of the community college system of New Hampshire, one of whom  
29 shall be the chairperson of the board of trustees and one of whom shall be the chief executive or chief  
30 administrator. The additional 2 members shall be selected by the board of trustees.

31 (c) Three members appointed by the governor.

32 II Any vacancy in membership shall be filled in the same manner as the commission



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1 membership originally established.

2 188-I:4 Operation of the Commission.

3 I. The commission shall elect a chairperson and vice-chairperson upon its initial formation.

4 II. Seven members of the commission shall constitute a quorum.

5 III. The commission shall meet at such times and places as it may determine. The  
6 chairperson shall call special meetings upon the written request of any 3 commission members or  
7 upon the chairperson's motion.

8 IV. Members shall receive no compensation for their services but shall be reimbursed for  
9 expenses reasonably incurred by them in the performance of their duties. Legislative members shall  
10 receive mileage at the legislative rate for attending to the duties of the commission.

11 188-I:5 Duties of the Commission.

12 I. On or before January 1, 2022, the commission shall recommend legislation, if determined  
13 both prudent and necessary, that would result in the merging of the community college system and  
14 the university system into a single entity called the "New Hampshire college and university system,"  
15 to be effective no later than July 1, 2023. In the development of the proposed legislation, the  
16 commission shall address and consider issues including, but not limited to, the following:

17 (a) Changes to the governance structure of public higher education in New Hampshire.

18 (b) Changes to state laws to improve the systems' efficiency and effectiveness.

19 (c) Development of a reasonable time line for implementation of a merged system.

20 (d) Potential synergies and reduction of unnecessary duplication of programs between  
21 the systems.

22 (e) Opportunities for sharing best practices and individual efficiencies, building cross-  
23 system economies of scale and sharing of resources.

24 (f) College affordability.

25 (g) Collaborative strategies to attract and retain greater proportions of New Hampshire  
26 high school graduates entering the systems.

27 (h) In consultation with the commissioner of the department of education, investigating  
28 and pursuing opportunities for collaboration and student pathways for New Hampshire high school  
29 students.

30 (i) Financial and social impacts of the merging of disparate collective bargaining  
31 agreements.

32 (j) Preserving the unique character and educational missions of 2 systems in a merged  
33 system.

34 (k) Ensuring that a merged system will not result in the elimination of physical  
35 education locations in any one part of the state.

36 (l) Minimizing or eliminating barriers to student transfer between the systems.

37 (m) The contents and recommendations of the "Final Report of the Study Group for Post-

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1 Secondary Education” dated March 19, 2021.

2 (n) Other issues the commission identifies as pertinent to its duties.

3 II. The commission shall use such funds as appropriated to hire necessary consultants as  
4 deemed necessary by the commission.

5 III. The commission shall serve as the search committee to select a chancellor once  
6 legislation has been submitted, should the commission recommend a single chancellor.

7 188-I:6 Reporting. The commission shall submit interim monthly reports to the public higher  
8 education study committee established in RSA 187-A:28-a, the governor, and the chancellors of the  
9 university system of New Hampshire and the community college system of New Hampshire, and  
10 shall submit a final report by August 31, 2022. Additional copies shall be delivered, on a monthly  
11 basis, to the fiscal committee of the general court, the house education committee, and the senate  
12 education committee.

13 117 Appropriation. There is hereby appropriated the sum of \$1,500,000 for the biennium ending  
14 June 30, 2023 to the New Hampshire higher education merger assessment commission established  
15 in RSA 188-I for the purposes established in RSA 188-I. The appropriation shall be nonlapsing for  
16 the biennium. The governor is authorized to draw a warrant for said sum out of any money in the  
17 treasury not otherwise appropriated.

18 118 Repeal. RSA 188-I, relative to the New Hampshire higher education merger assessment  
19 commission, is repealed.

20 119 Effective Date.

21 I. Section 118 of this act shall take effect August 31, 2022.

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

Rep. Umberger, Carr. 2  
March 18, 2021  
2021-0895h  
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend RSA 236:39 as inserted by section 133 of the bill by deleting RSA 236:39, III.

**Deletes the following:**

*"This section shall apply retrospectively and prospectively to all persons liable under this section."*

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 144 with the following:

2

3 144 Department of Safety; Fund Transfer; Unfunded Positions; Authorization.

4 I. Notwithstanding the provisions of RSA 9:16-a, for the biennium ending June 30, 2023, the  
5 department of safety may transfer funds between accounting units in classes 027-transfers to the  
6 department of information technology, 028-transfers to general services, 064-retiree pension benefit  
7 health insurance compensation, and 211-property and casualty insurance, upon approval of the  
8 department of administrative services' budget office.

9 II. Notwithstanding any other provision of law to the contrary, the department of safety may  
10 fill unfunded positions during the biennium ending June 30, 2023, provided that the total  
11 expenditure for such positions shall not exceed the amount appropriated for personal services.

Rep. Heath, Hills. 14  
Rep. K. Murray, Rock. 24  
Rep. Porter, Hills. 1  
March 19, 2021  
2021-0921h  
04/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 145-147 with the following:

2

3 145 New Section; Body-Worn Cameras. Amend RSA 105-D by inserting after section 2 the  
4 following new section:

5 105-D:3 Body-Worn and Dashboard Camera Fund.

6 I. There is hereby established the body-worn and dashboard camera fund within the  
7 department of safety for the purpose of encouraging local law enforcement agencies to equip officers  
8 with body-worn cameras and agency vehicles with dashboard cameras. All moneys in the fund shall  
9 be nonlapsing and continually appropriated to the department of safety.

10 II.(a) The fund shall provide matching grants to local law enforcement agencies to assist  
11 agencies with the purchase, maintenance, and replacement of body-worn and dashboard cameras  
12 and ongoing costs related to the maintenance and storage of data recorded by body-worn and  
13 dashboard cameras.

14 (b) The commissioner of the department of safety may also use the fund to pay for the  
15 classified position of business administrator I established in the department of safety, division of  
16 administration.

17 III. All local law enforcement agencies shall be eligible to apply for grants from the fund.

18 IV. The fund shall be overseen by the commissioner of the department of safety and the  
19 attorney general who shall, within 180 days of the effective date of this section, jointly establish a  
20 process for the application for matching grants from the fund. Such process shall be established in  
21 rules adopted jointly by the commissioner of safety and attorney general in accordance with RSA  
22 541-A.

23 V. The commissioner of the department of safety may charge administrative costs related to  
24 this section to the fund.

25 146 Body-Worn and Dashboard Camera Fund; Appropriation. The sum of \$1,000,000 for the  
26 fiscal year ending June 30, 2022 is hereby appropriated to the body-worn and dashboard camera  
27 fund established in RSA 105-D:3. The governor is authorized to draw a warrant for said sum out of  
28 any money in the treasury not otherwise appropriated.

29 147 Department of Safety; Position Created. There is hereby established in the department of  
30 safety, division of administration, the full-time classified position of business administrator I. The

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- 1 commissioner of the department of safety may use the body-worn and dashboard camera fund
- 2 established in RSA 105-D:3 to fund the position.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 148 with the following:

2

3 148 New Section; Complaints Alleging Law Enforcement Misconduct; Commission Established.

4 Amend RSA 105-D by inserting after section 2 the following new section:

5 105-D:2-a Statewide Entity to Receive Complaints Alleging Misconduct Regarding Sworn and  
6 Elected Law Enforcement Officers; Commission Established.

7 I. There is hereby established a commission to develop recommendations for legislation to  
8 establish a single, neutral, and independent statewide entity to receive complaints alleging  
9 misconduct regarding all sworn and elected law enforcement officers pursuant to recommendation  
10 #16 in the final report issued by the New Hampshire commission on law enforcement accountability,  
11 community and transparency. The commission shall be composed of the following members:

- 12 (a) The attorney general, or designee, who shall be the chairperson of the commission.  
13 (b) One member of the house of representatives, appointed by the speaker of the house.  
14 (c) One member of the senate, appointed by the president of the senate.  
15 (d) The director of the New Hampshire police standards and training council, or  
16 designee.  
17 (e) The commissioner of safety, or designee.  
18 (f) Four additional members from the New Hampshire commission on law enforcement  
19 accountability, community and transparency established in Executive Order 2020-11. Two of these  
20 members shall be law enforcement members and 2 of these members shall not be law enforcement  
21 members.

22 II. Legislative members of the commission shall receive mileage at the legislative rate when  
23 attending to the duties of the commission.

24 III. The chairperson of the commission shall call the first meeting within 30 days of the  
25 effective date of this section. Four members of the commission shall constitute a quorum.

26 IV. The commission shall submit a report containing its recommendations for legislation to  
27 the governor, the speaker of the house of representatives, the president of the senate, and the state  
28 library no later than November 1, 2021.

29 149 Appropriation; Statewide Entity to Receive Complaints of Misconduct. The sum of \$100,000  
30 for the fiscal year ending June 30, 2023 is hereby appropriated the department of administrative  
31 services which shall be available to fund an independent statewide entity to receive complaints  
32 alleging misconduct regarding all sworn and elected law enforcement officers established pursuant

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1 to recommendation #16 in the final report issued by the New Hampshire commission on law  
2 enforcement accountability, community and transparency. Any unexpended amount of said  
3 appropriation shall lapse to the general fund on June 30, 2023. The governor is hereby authorized to  
4 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 150 Contingency. If an independent statewide entity to receive complaints alleging misconduct  
6 regarding all sworn and elected law enforcement officers as a result of recommendation #16 in the  
7 final report issued by the New Hampshire commission on law enforcement accountability,  
8 community, and transparency becomes law by July 1, 2022, then section 149 of this act shall take  
9 effect July 1, 2022. If such an entity does not become law by July 1, 2022, then section 149 of this  
10 act shall not take effect.

11 151 Effective Date. Section 149 of this act shall take effect as provided in section 150 of this act.

UNAPPROVED



Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 160-168 with the following:

2

3 160 College Tuition Savings Plan; Advisory Commission. Amend the introductory paragraph in  
4 RSA 195-H:2, I(a) to read as follows:

5 I.(a) There is established the New Hampshire college tuition savings plan advisory  
6 commission which shall ensure the proper administration and management of the savings plan. The  
7 advisory commission shall ensure that the savings plan complies with the requirements of section  
8 529 of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the  
9 savings plan. The commission shall also be responsible for ensuring the proper administration,  
10 implementation, and management of the New Hampshire excellence in higher education endowment  
11 trust fund established in RSA 6:38, and the governor's scholarship program and fund established in  
12 ~~[RSA 4 C:31-34]~~ ***RSA 195-H:11-14. The commission, by a majority vote, may transfer funds***  
13 ***between the New Hampshire excellence in higher education endowment trust fund and the***  
14 ***governor's scholarship fund.*** The commission shall consist of the following members:

15 161 New Subdivision; Governor's Scholarship Program and Fund. Amend RSA 195-H by  
16 inserting after section 10 the following new subdivision:

17 Governor's Scholarship Program and Fund

18 195-H:11 Definitions. In this subdivision:

19 I. "Eligible institution" means a postsecondary educational institution or training program  
20 within the university system of New Hampshire as defined in RSA 187-A, a postsecondary  
21 educational institution within the community college system of New Hampshire as defined in RSA  
22 188-F, or a private postsecondary institution approved to operate in this state that:

23 (a) Is approved by the higher education commission pursuant to RSA 21-N:8-a and  
24 accredited by the New England Commission of Higher Education; and

25 (b) Is a not-for-profit organization eligible to receive federal Title IV funds.

26 II. "Eligible student" means a first-year, full-time, Pell Grant-eligible student who meets the  
27 eligibility and residency requirements of RSA 195-H:13. "First-year" means a student who has never  
28 enrolled in an eligible institution.

29 III. "Full-time" means an enrolled student who is carrying an academic course load that is  
30 determined to be full-time by the eligible institution based on a standard applicable to all students  
31 enrolled in a particular educational program. The student's course load may include any

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1 combination of courses, work, research, or special studies that the eligible institution considers  
2 sufficient to classify the student as full-time.

3 195-H:12 Governor's Scholarship Program and Fund Established.

4 I. There is hereby established the governor's scholarship program and the governor's  
5 scholarship fund. The program and fund shall be administered by the commission. The fund shall  
6 be kept distinct and separate from all other funds and shall be used to provide scholarships which a  
7 recipient shall apply to the costs of an education at an eligible institution. The funds shall be  
8 distributed to an eligible institution based on the number of eligible students awarded a scholarship  
9 and upon receipt of a request for reimbursement for such scholarship funds accompanied by  
10 appropriate documentation.

11 II. The state treasurer shall credit to the fund any appropriation relating to the governor's  
12 scholarship fund made in each fiscal year to the commission. The state treasurer shall invest the  
13 fund in accordance with RSA 6:8. Any earnings shall be added to the fund.

14 III. All moneys in the fund shall be nonlapsing and continually appropriated to the  
15 commission for the purposes of this subdivision.

16 IV. The commission may institute promotional programs and solicit and receive cash gifts or  
17 other donations for the purpose of supporting educational scholarships from the fund. The  
18 commission shall not solicit or accept real property.

19 V. All gifts, grants, and donations of any kind shall be credited to the fund.

20 195-H:13 Eligibility.

21 I. Any person who meets the following requirements shall be an eligible student:

22 (a) A person shall meet the residency requirements of RSA 193:12; be a graduate of a  
23 New Hampshire high school, public academy, chartered public school, New Hampshire private  
24 preparatory high school, a high school-level home education program as defined in RSA 193-A; have  
25 received a New Hampshire high school equivalency certificate; have completed at least 3 years of  
26 high school in this state; be pursuing a certificate, associate, or bachelor degree at an eligible  
27 institution in this state; and be eligible to receive a Pell grant; or

28 (b) A person shall be a graduate of a preparatory high school outside of this state while a  
29 dependent of a parent or legal guardian who is a legal resident of this state and who has custody of  
30 the dependent; or

31 (c) A person shall have a parent or guardian who has served in or has retired from the  
32 United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a  
33 resident of this state; or

34 (d) A person shall be a graduate of a high school, public academy, chartered public high  
35 school, or a high school-level home education program outside of this state but have maintained his  
36 or her primary residence in this state for not less than 5 years preceding the date of application for a  
37 scholarship.

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

3           III. A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo  
4 contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the  
5 laws of this or any other state, or under the laws of the United States, except that an otherwise  
6 eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo  
7 contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible  
8 or continue to be eligible for a scholarship after the expiration of one academic year from the date of  
9 adjudication, conviction, or plea.

10           195-H:14 Procedures.

11           I. All scholarship funds shall be distributed to the eligible student by the eligible institution.  
12 The institution shall include the scholarship in the student's financial aid package and may seek  
13 subsequent reimbursement. The state shall provide the reimbursements twice per year to each  
14 eligible institution for the number of eligible students enrolled in the current semester or term who  
15 are receiving a scholarship. The institution shall submit the list of scholarship recipients to the  
16 commission or its designee no later than November 30 and April 30 of each academic year, and shall  
17 be reimbursed within 30 days of submission.

18           II. An eligible student may receive a scholarship in the amount of \$1,000 per year provided  
19 he or she maintains at least a 2.0 grade point average. An eligible student who earned the New  
20 Hampshire scholar designation at the time of high school graduation may receive a scholarship in  
21 the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point average. The  
22 eligible institution shall not reduce any merit or need-based grant aid that would have otherwise  
23 been provided to the eligible student. An eligible student may receive an annual scholarship for a  
24 maximum of 4 years.

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

29           IV. The commission shall adopt rules, pursuant to RSA 541-A, relative to awarding and  
30 disbursing scholarship funds to an eligible student enrolled in an eligible institution.

31           V. An eligible student, who initially attends a community college and transfers directly to an  
32 eligible institution, without a break in attendance, shall remain an eligible student for a maximum  
33 of 4 years of total eligibility.

34           VI. The commission may hire staff or enter into a contract for services or personnel  
35 necessary to administer the program.

36           162 Application of Receipts; Governor's Scholarship Program and Fund. Amend RSA 6:12,  
37 I(b)(336) to read as follows:

**Amendment to HB 2-FN-A-LOCAL**  
**- Page 4 -**

1                   (336) Moneys deposited into the governor's scholarship fund established in ~~[RSA 4-~~  
2 ~~C:32]~~ ***RSA 195-H:12.***

3           163 Repeal. RSA 4-C:31 through RSA 4-C:34, relative to the governor's scholarship program  
4 and fund, are repealed.

5

6 Amend the bill by deleting section 193.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1           1 Community College System of New Hampshire; Dual and Concurrent Enrollment Program.  
2 Amend RSA 188-E:25-29 to read as follows:

3           188-E:25 Definitions.

4           In this subdivision:

5           I. "**CCSNH**" means the community college system of New Hampshire.

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

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

13           188-E:26 Program Established. There is established a dual and concurrent enrollment program  
14 in [~~the department of education~~] **CCSNH**. Participation in the program shall be offered to high  
15 school and career technical education center students in grades 10 through 12. The program shall  
16 provide opportunities for qualified New Hampshire high school students to gain access and support  
17 for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics)  
18 and STEM-related courses that are fundamental for success in postsecondary education and to meet  
19 New Hampshire's emerging workforce needs.

20           188-E:27 Enrollment Requirements.

21           I. An interested high school student in grades 10 through 12 may enroll in a course that is  
22 designated by [~~the~~] **CCSNH** as part of the dual and concurrent enrollment program.

23           II. A student in the program shall be provided funding for enrollment in no more than 2 dual  
24 or concurrent enrollment courses taken in grade 10, no more than 2 dual or concurrent enrollment  
25 courses taken in grade 11, and no more than 2 dual or concurrent enrollment courses taken in grade  
26 12. A student may take more than 2 dual or concurrent enrollment courses per year at his or her  
27 own expense.

28           III.(a) The state shall pay the current rate of concurrent enrollment tuition, which is  
29 established at \$150 per course, to the **CCSNH** institution where a high school or career and technical  
30 education student successfully completes the concurrent enrollment course.

31           (b) The state shall pay the current rate of dual enrollment tuition, which is established  
32 at 1/2 the regular cost of the course, to the **CCSNH** institution where a high school or career and

**Amendment to HB 2-FN-A-LOCAL**  
**- Page 2 -**

1 technical education student successfully completes a dual enrollment course and ~~the~~ CCSNH shall  
2 accept such amount as full payment for course tuition.

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

8 188-E:28 School Board Policy.

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

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

30 188-E:29 Budget Requests. The ~~commissioner of the department of education~~ **chancellor of**  
31 **CCSNH, or his or her designee**, shall submit expenditure requests in accordance with RSA [9:4]  
32 **9:4-e** to fund the dual and concurrent enrollment program established in this subdivision.

Rep. Heath, Hills. 14  
Rep. K. Murray, Rock. 24  
Rep. Porter, Hills. 1  
March 23, 2021  
2021-0988h  
05/10

Amendment to HB 2-FN-A-LOCAL

1           1 Dual and Concurrent Enrollment Program; Appropriation. The sums of \$1,500,000 for the  
2 fiscal year ending June 30, 2022, and \$1,500,000 for the fiscal year ending June 30, 2023, are hereby  
3 appropriated to community college system of New Hampshire for the purpose of funding and  
4 administering the dual and concurrent enrollment program under RSA 188-E:26. This  
5 appropriation shall be in addition to any other funds appropriated to the community college system  
6 of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in  
7 the treasury not otherwise appropriated.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1           1 New Paragraph; Ten Year Plan for Grant Projects. Amend RSA 198:15-a by inserting after  
2 paragraph IV the following new paragraph:

3           V. The department of education shall develop and maintain a 10-year school facilities plan of  
4 potential school building grant projects. Potential projects shall include, but not be limited to,  
5 criteria pursuant to RSA 198:15-c, II(b). The 10-year plan is intended to create a method to identify  
6 and enhance school facilities in a safe, healthy, and efficient manner while providing adequate  
7 learning environments for New Hampshire's students. The 10-year plan shall be updated every  
8 biennium to provide the department a summary of projects and school facility capital expenditures  
9 that are anticipated for the next 10 years. The state board of education shall adopt rules pursuant to  
10 RSA 541-A relative to this paragraph. The plan shall identify new construction, renovation, and  
11 emergency projects, and describe the overall condition of projects contained in the plan.

2021-0918h

AMENDED ANALYSIS

This bill requires the department of education to develop and maintain a 10-year plan for school building grant projects.



Amendment to HB 2-FN-A-LOCAL

1           1 School Building Aid; Annual Grant for Leased Space. Amend the introductory paragraph of  
2 RSA 198:15-hh, I to read as follows:

3           I. The amount of the annual grant for a lease to any school district duly organized, any city  
4 maintaining a school department within its corporate organization, any cooperative school district as  
5 defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1,  
6 shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the  
7 cost of leasing permanent space in a building or buildings not owned by the school district or school  
8 administrative unit which is used for the operation of a high school vocational technical education  
9 program, to the extent approved by the state board of education. For the purposes of this section,  
10 the amount of the annual grant for a lease to a vocational technical education center shall be  
11 calculated in the same manner as a cooperative school district. The amount of the annual grant for a  
12 chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the  
13 annual lease payment incurred for the cost of leasing space; provided that no annual grant for leased  
14 space provided to a chartered public school in accordance with this section shall exceed [~~\$30,000~~  
15 **\$50,000** in any fiscal year. The total amount of grants to schools pursuant to this section shall not  
16 exceed the state appropriation for leased space. If the amount appropriated is insufficient therefor,  
17 the appropriation shall be prorated proportionally among the schools eligible for a grant. Such lease  
18 agreements shall be eligible for grants under this section, provided all of the following conditions  
19 apply:

2021-0894h

AMENDED ANALYSIS

1. Increases the limit on the amount of the annual grant for leased space provided to a chartered public school.

Amendment to HB 2-FN-A-LOCAL

1           1 New Paragraph; Kindergarten Adequate Education Grants. Amend RSA 198:48-b by  
2 inserting after paragraph II the following new paragraph:

3           III. For the fiscal year ending June 30, 2021, and every fiscal year thereafter, the amount  
4 necessary to fund the grants under this section is hereby appropriated to the department from the  
5 education trust fund established in RSA 198:39. If the balance in the education trust fund is less  
6 than zero, the governor is authorized to draw a warrant for sufficient funds to eliminate such deficit  
7 out of any money in the treasury not otherwise appropriated. The commissioner of the department  
8 of administrative services shall inform the fiscal committee and the governor and council of such  
9 balance. This reporting shall not in any way prohibit or delay the distribution of kindergarten  
10 adequate education grants.

11           2 Appropriation; Department of Education. The sum of \$1,906,313 for the fiscal year ending  
12 June 30, 2021 is hereby appropriated to the department of education for the purpose of funding and  
13 distributing additional adequate education grants under RSA 198:48-b, I and II. Of this  
14 appropriation, \$840,039 shall be for payments for those districts that would have been eligible for  
15 said grants had the provisions of RSA 198:48-b, I and II, been in effect for the fiscal year ending  
16 June 30, 2020. Said appropriation shall be a charge against the education trust fund and shall not  
17 lapse.

18           3 Effective Date. Sections 1 and 2 shall take effect June 30, 2021.

2021-0980h

AMENDED ANALYSIS

Add:

1. Provides that the amount necessary to fund kindergarten adequate education grants shall be appropriated from the education trust fund; authorizes the governor to draw a warrant to eliminate a deficit if the balance in the education trust fund falls below zero; and makes an appropriation to the department of education for fiscal year 2020 kindergarten funding.

Amendment to HB 2-FN-A-LOCAL

1           1 School Planning Committees; Vacancies. Amend RSA 671:33 to read as follows:  
2           671:33 Vacancies.

3           I. Vacancies among members of cooperative or area school planning committees shall be  
4 filled by the moderator for the unexpired term.

5           II.(a) The school board shall fill vacancies occurring on the school board, except as provided  
6 in subparagraph (b), and in all other district offices for which no other method of filling a vacancy is  
7 provided. Appointees of the school board shall serve until the next district election when the voters  
8 of the district shall elect a replacement for the unexpired term. In the case of a vacancy of the entire  
9 membership of the school board, or if the remaining members are unable, by majority vote, to agree  
10 upon an appointment, the selectmen of the town or towns involved shall appoint members by  
11 majority vote in convention.

12           (b) In a cooperative school district, the remaining school board members representing  
13 the same town or towns as the departed member shall fill a vacancy on the school board, provided  
14 that there are at least 2 such members. ***A member-at-large shall also be included as a***  
15 ***representative of the same town.*** If there are less than 2 remaining members on the cooperative  
16 school board representing the same town or towns as the departed member, or if the remaining  
17 members are unable, by majority vote, to agree upon an appointment, the selectmen of the town or  
18 towns involved shall fill the vacancy by majority vote in convention. If the selectmen are unable to  
19 fill the vacancy then the cooperative school district moderator shall make the appointment. A  
20 member appointed to fill a vacancy under this subparagraph shall serve until the next district  
21 election when the voters of the district shall elect a replacement for the unexpired term.

22           III. Vacancies in the office of moderator shall be filled by vote at a school meeting or election,  
23 provided that, until a replacement is chosen, the school district clerk shall serve as moderator or  
24 shall appoint a moderator pro tempore.

25           IV. In a cooperative school district, the remaining budget committee members representing  
26 the same town or towns as the departed member shall fill a vacancy on the budget committee,  
27 provided that there are at least 2 such members. ***A member-at-large shall also be included as***  
28 ***a representative of the same town.*** If there are less than 2 remaining members on the budget  
29 committee representing the same town or towns as the departed member, or if the remaining  
30 members are unable, by majority vote, to agree upon an appointment, the selectmen of the town or  
31 towns involved shall fill the vacancy by majority vote in convention. If the selectmen are unable to  
32 fill the vacancy then the cooperative school district moderator shall make the appointment. If the

**Amendment to HB 2-FN-A-LOCAL**  
**- Page 2 -**

1 vacancy is for the cooperative school board representative to the cooperative school district budget  
2 committee, such vacancy shall be filled by the cooperative school board. A member appointed to fill a  
3 vacancy under this subparagraph shall serve until the next district election when the voters of the  
4 district shall elect a replacement for the unexpired term.

UNAPPROVED

Rep. Umberger, Carr. 2  
March 25, 2021  
2021-1027h  
11/06

Amendment to HB 2-FN-A-LOCAL

1           1 Appropriation; Education Trust Fund. There is hereby appropriated the sum of \$63,300,000  
2 for the fiscal year ending June 30, 2023 to the education trust fund established in RSA 198:39. The  
3 governor is authorized to draw a warrant for said sum out of any money in the treasury not  
4 otherwise appropriated.

2021-1027h

AMENDED ANALYSIS

1. Makes an appropriation to the education trust fund.

Amendment to HB 2-FN-A-LOCAL

1        1 Appropriation; Department of Transportation.

2            I. There is hereby appropriated to the department of transportation the sum of \$19,000,000,  
3 for the biennium ending June 30, 2023, which shall be expended pursuant to this section. The  
4 governor is authorized to draw a warrant for said sum out of any money in the treasury not  
5 otherwise appropriated.

6            II. The sum appropriated in this section shall be allocated as follows:

7            (a) \$4,000,000 for additional Apportionment A distributions pursuant to RSA 235:23, I.

8            (b) \$5,000,000 for the highway and bridge betterment program established in RSA  
9 235:23-a.

10           (c) \$6,000,000 for the acquisition of fleet vehicles and equipment.

11           (d) \$4,000,000 to fund winter maintenance operations.

12        2 Appropriation; Department of Education.

13           I. There is hereby appropriated to the department of education the sum of \$17,278,000, for  
14 the fiscal year ending June 30, 2022 and \$10,558,000 for the fiscal year ending June 30, 2023, and  
15 shall be expended pursuant to this section. This appropriation shall be a charge against the  
16 education trust fund and shall not lapse until June 30, 2023.

17           II. The sums appropriated in this section shall be allocated as follows:

18           (a) In the fiscal year ending June 30, 2022, \$8,000,000 to accelerate remaining school  
19 building aid payments to school districts, in accordance with RSA 198:15-b, for projects approved  
20 before July 1, 2012. Payments from said appropriation shall be prorated among the districts  
21 entitled to funding, not to exceed the outstanding remaining grant amount for any project.

22           (b) In the fiscal year ending June 30, 2022, the amount of \$9,278,000 and in the fiscal  
23 year ending June 30, 2023, the amount of \$10,558,000, for school building aid on new projects under  
24 RSA 198:15-a.

25           III. The \$50,000,000 cap on school building aid grants for construction or renovation projects  
26 approved by the department of education under RSA 198:15-a, IV shall be suspended for the  
27 biennium ending June 30, 2023.

Rep. Umberger, Carr. 2  
March 25, 2021  
2021-1033h  
04/05

Amendment to HB 2-FN-A-LOCAL

1        1 Education Tax Revenue; Fiscal Year 2023. For the fiscal year ending June 30, 2023, and  
2 notwithstanding RSA 76:3, the commissioner of the department of revenue administration shall set  
3 the education tax rate at a level sufficient to generate revenue of \$263,000,000 when imposed on all  
4 persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and  
5 RSA 83-F. The education property tax rate shall be effective for tax periods beginning on or after  
6 April 1, 2022. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue  
7 required in this section.

8        2 Effective Date. This act shall take effect April 1, 2022.

2021-1033h

AMENDED ANALYSIS

This bill amends the amount of education tax revenue to be raised for the 2023 fiscal year.