LEGISLATIVE COMMITTEE MINUTES

HB2

Bill as Introduced

HB 2-FN-A-LOCAL - AS AMENDED BY THE HOUSE

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2023 SESSION

23-1064
10/05

HOUSE BILL ***2-FN-A-LOCAL***

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Weyler, Rock. 14

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

5. Authorizes the liquor commission to transfer funds for its employee incentive program.

6. Establishes new unclassified positions within the department of corrections.

7. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

8. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system, and removes the position of professional standards director from the department of corrections.

9. Makes certain organizational changes to the office of the commissioner of the department of environmental services.

10. Alters the hearings process within the department of environmental services, for the wetlands council, water council, and air resources council to be under the attorney general.

11. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resources fund.

12. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

13. Modifies the wastewater plant operator certification fund to be continuously appropriated.

14. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

15. Clarifies the chargeable area for fees associated with terrain alteration disturbances.

16. Removes certain limitations to the Winnipesaukee River basin control program.

17. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

18. Establishes the InvestNH Program.

19. Makes an appropriation for the Affordable Housing Fund.

20. Repeals statutes related to the advanced manufacturing education advisory council, membership and terms, duties, and the advanced manufacturing education fund.

21. Creates the establishment of the bridges house special account.

22. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

23. Makes an appropriation for the department of corrections IT infrastructure.

24. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

25. Makes an appropriation for the body-worn and dashboard camera fund.

26. Authorizes the Christa McAuliffe memorial.

27. Establishes a commission on New Hampshire civics.

28. Makes an appropriation for expanding the Teacher of the Year program.

29. Requires the board of tax and land appeals to have at least one member of board be an attorney admitted to practice in New Hampshire.

30. Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and makes general fund appropriations each year to fund the cost of the benefits.

31. Moves the repeal of the interest and dividends tax from 2027 to 2025.

32. Redirects workers' compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.

33. Alters the nomination process to the labor commissioner penalty appeal board.

34. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

35. Alters the composition of the workers' compensation appeal board.

36. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

37. Creates an over-length, over-width, and over-height revolving fund credited to the department of transportation.

38. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

39. Alters the definition of prime wetlands and adjacent buffers for state highway rights-of-way. and authorizes the commissioner of transportation to discontinue rights-of-way.

40. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

41. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

42. Alters the process of the development of the statewide transportation improvement program plan.

43. Alters the process to claim assets which have escheated to the state.

44. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

45. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

46. Directs the department of energy to support offshore wind initiatives.

47. Changes the dates required to submit reports to the department of energy.

48. Increases staff and expenditures at the department of energy.

49. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

50. Enables the commissioner of the department of energy to appoint a general counsel.

51. Removes the statutory fee for record requests from the division of motor vehicles.

52. Allows certain emergency medical care providers to administer Naloxone.

53. Enables the engagement of peer support services following a critical incident or other certain experiences by emergency services providers.

54. Reduces the appropriations to the department of education for education freedom accounts.

55. Changes the distribution schedule from the education trust fund.

56. Defines episode of treatment in court-ordered placement of children and addresses department of education payment for placement for an episode of treatment.

57. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport.

58. Revises the formula for calculating adequate education grants and increases the amount of such funding.

59. Increases chartered public school funding.

60. Repeals the grade 3 statewide education improvement and assessment program data.

61. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

62. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

63. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

64. Changes the name of the department of administrative services state budget director to the state budget officer.

65. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

66. Makes an appropriation to the department of administrative services for technology upgrades.

67. Revises the duties and authority of the state commission on aging.

68. Establishes the salary schedule applicable to certain corrections officers.

69. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

70. Establishes salaries and salary schedules for certain state officers and unclassified employees.

71. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

72. Makes an appropriation to the department of health and human services for the Choose Love Program.

73. Allows the department of health and human services to fill unfunded positions.

74. Suspends the foster grandparents program.

75. Suspends the congregate housing and services program.

76. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.

77. Suspends the provision of direct and indirect graduate medical education payments to hospitals.

78. Suspends catastrophic aid payments to hospitals.

79. Allows for additional funding for Medicaid to schools.

80. Requires submission of health facility plans to the division of fire safety.

81. Amends certain powers and responsibilities of the workplace violence prevention and health care workplace safety commission and suspends state participation in the workplace violence prevention and health care workplace safety commission for the biennium ending June 30, 2025.

82. Establishes unclassified positions in the department of health and human services.

83. Authorizes the carry forward of funds for certain services for the developmentally disabled.

84. Limitations on reimbursement of county funds.

85. Makes appropriations to the department of health and human services for programs and systems.

86. Makes appropriations to the department of health and human services for Medicaid provider rate increases.

87. Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

88. Revises the workforce development program administration.

89. Provides for public comment at the semi-annual meetings of the agricultural advisory board.

90. Reclassifies and renames positions in the department of justice to unclassified.

91. Establishes a handling charge for the division of charitable trusts.

92. Makes certain changes to the administration of programs within the department of justice.

93. Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

94. Increases the business finance authority unified contingent credit limit.

95. Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state's occupational regulatory boards and commissions.

96. Makes an appropriation to the New Hampshire retirement system to pay down the unfunded accrued liability.

97. Grants a supplemental allowance in 2023 to be paid by the retirement system to retired group II members' or beneficiaries' allowances. The cost of this supplemental allowance is paid from the state general fund.

98. Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.

99. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

100. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

101. Authorizes the governor to draw a warrant to supplement the department of revenue administration's revenue information management system's bond principal and interest payments.

102. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

103. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

104. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

105. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

106. Requires the liquor commission to submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council prior to closing a liquor store.

107. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

108. Modifies the department of military affairs and veterans services administration of certain fines and programs.

109. Directs the department of corrections to establish and administer an employee recruitment and retention program.

110. Allows the department of corrections to pay certain burial expenses of employees.

111. Makes an appropriation to the department of safety to develop and implement a system to electronically share an individual's bail condition status with law enforcement.

112. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

113. Adds a new position of academic research and improvement performance data analyst I to the department of education.

114. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

115. Requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program for free and reduced price meals for students in public kindergarten, elementary, and secondary schools.

116. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.

117. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

118. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

119. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

120. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

121. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

122. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

123. Reestablishes and revises the membership and duties of the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program. The commission is repealed November 1, 2028; extends the New Hampshire granite advantage health care program by changing the prospective repeal of the program to December 31, 2027; removes the transfer of funds from the alcohol abuse prevention and treatment fund to the granite advantage health care trust fund; and reduces transfers from the liquor commission to the alcohol abuse prevention and treatment fund for fiscal year 2024.

124. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

125. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

126. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

127. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

128. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

129. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

130. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

131. Adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid.

132. Increases the eligibility for free school meals to household incomes up to 300 percent of federal poverty guidelines, and provides funding for the additional costs from department of education appropriations.

133. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

134. Makes appropriations to the department of health and human services to support family resource infrastructure and to support residential treatment provider rates as a component of the system of care.

135. Revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.

136. Changes the effective date for implementation of licensed historic horse racing in licensed facilities.

137. Requires a law enforcement agency to provide public notice of an immigration checkpoint.

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.

HB 2-FN-A-LOCAL - AS AMENDED BY THE HOUSE

23-1064
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to state fees, funds, revenues, and expenditures.

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

1 Department of Information Technology; Divisions Established. Amend RSA 21-R:5 to read as follows:

21-R:5 Divisions Established. The commissioner shall establish 4 divisions, ***business relationship management, user experience, infrastructure and operations, and user services,*** which shall be in alignment with the department's statewide strategic plan. Each division shall be under the supervision of a division director appointed pursuant to RSA 21-R:3.

2 Department of Information Technology; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of information technology may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personnel services.

3 Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:26 to read as follows:

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

4 Regional Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:27, II to read as follows:

II. A student in the program shall be provided funding for enrollment in no more than [~~2~~] ***5*** dual or concurrent enrollment courses taken in grade 10, no more than [~~2~~] ***5*** dual or concurrent enrollment courses taken in grade 11, and no more than [~~2~~] ***5*** dual or concurrent enrollment courses taken in grade 12. A student may take more than [~~2~~] ***5*** dual or concurrent enrollment courses per year at his or her own expense.

5 Dual and Concurrent Enrollment Program; Appropriation. The sums of $3,250,000 for the fiscal year ending June 30, 2024, and $3,250,000 for the fiscal year ending June 30, 2025, are hereby appropriated to community college system of New Hampshire for the purpose of providing scholarships and program support for the dual and concurrent enrollment program under RSA 188-

E:26. This appropriation shall be in addition to any other funds appropriated to the community college system of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said appropriation shall not lapse.

6 Appropriation; University System of New Hampshire; Blockchain. There is hereby appropriated to the University of New Hampshire's Interoperability Lab the sum of $1,500,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing and shall be expended for the purpose of establishing a program at the University of New Hampshire Interoperability lab to analyze the interoperability of blockchain technology. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date. Section 6 of this act shall take effect June 30, 2023.

8 Appropriation; University System of New Hampshire; Whittemore Center Arena There is hereby appropriated to the University of New Hampshire the sum of $6,000,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing and shall be expending for the purpose of renovating and expanding the Whittemore Center Arena. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Effective Date. Section 8 of this act shall take effect June 30, 2023.

10 New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive Program. Amend RSA 176:16 by inserting after paragraph V the following new paragraph:

VI. The commission is authorized to transfer funds for its employee incentive program from the liquor commission fund to such accounts as required to compensate qualifying employees as provided in the liquor commission rules, Liq 800.

11 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; classes: 10-personal services-perm classified, 11-personal services unclassified, 12-personal services unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed, and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that any transfer of $100,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

12 Department of Corrections; Unclassified Positions Established.

I. The unclassified positions of deputy director of health services, deputy director of rehabilitative services, and deputy warden are hereby established in the department of corrections and shall be qualified for that position by reason of education and experience and shall be appointed by the commissioner of the department of corrections and who shall serve at the pleasure of the commissioner. The positions shall be as follows:

(a) The deputy director of health services shall oversee the uniform integration of allied healthcare, dental services, health information management and contractual healthcare services into

the comprehensive medical and behavioral health system operated by the department of corrections as well as ensuring adherence of licensed clinical staff to their respective practice laws, rules, standards, and policies. In addition, the deputy director of health services will oversee the departments business agreements to ensure compliance with the health insurance portability and accountability act and its application within a correctional environment. This position shall also establish an organizational reporting structure to ensure that all licensed clinical staff receive adequate and appropriate supervision. Direct reports shall include the facility classified and contracted health administrators and all allied healthcare and health information management staff.

(b) The deputy director of rehabilitative services shall oversee the uniform integration of institutional rehabilitative programs, reentry services, faith-based services, educational and vocational offerings and family-based services operated by the department of corrections at all locations for those incarcerated, as well as ensuring adherence of certified professionals to their respective standards, rules and policies. In addition, this position will oversee and ensure compliance with applicable grants and contractual agreements with external partners and seek further resources to integrate into the correctional setting to improve programmatic resources for the incarcerated population. The deputy director of rehabilitative services will also establish an organizational reporting structure to ensure all staff, including certified educational professionals receive adequate and appropriate supervision. Direct reports shall include but not limited to the facilities classified administrators of program services, the education director, and institutional program management staff.

(c) The deputy warden of the New Hampshire state prison for men will work in close and immediate contact with prisoners on a daily basis, having responsibility for security. This position will administer and direct facility objectives by assessing needs and operational effectiveness, establishes controls, and monitors key performance measures and other quality improvement protocols related to the identified organizational goals of the department and the New Hampshire state prison for men. This position will assist the warden in management of the New Hampshire state prison for men and its security force. This position will conduct post-incident reviews to determine the scope of actions taken and whether those actions comply with applicable state law, administrative rules, policies and procedures, training, and proper use of force. This position will meet with those incarcerated and staff as necessary to determine the validity of requests and report outcomes and areas of improvement to the warden. This position will oversee supervision of prison security operations, bureau of classifications and client records, hobby craft/recreation staff, and related program activities, and will work with the warden on facility budget planning and development as it relates to equipment and operational costs. This position maintains its group II law enforcement classification in the retirement system due to its being in close and immediate contact with those incarcerated on a daily basis.

II. The commissioner shall appoint a person to each position established pursuant to subparagraph. Any vacancy shall be filled in the same manner as the original appointment.

III. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. Upon completion of the appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into the unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234, 02-46-46-469010-8232 and 02-46-46-463510-3372. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's appointment of the unclassified positions:

(a) Administrator IV (Deputy Director of Health Services) #12849.

(b) Administrator IV (Deputy Director of Rehabilitative Services) #19953.

(c) Administrator IV (Deputy Warden) #16320.

13 Department of Corrections; Authorization to Transfer to Group II of the New Hampshire Retirement System. Pursuant to the provision of RSA 100-A:3, IX, the following positions in the department of corrections classified as group I positions are deemed to have met the requirement of RSA 100-A:1, VII(b) and shall be transferred to group II status in the New Hampshire retirement system:

I. Licensed Nursing Assistant III, #44273.

II. Licensed Nursing Assistant I, #44291.

III. Administrator -Secure Psychiatric Unit, #16849.

14 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be as specified in RSA 94:1-a.

15 Department of Corrections; Position Reallocation; Appropriation.

I. The department of administrative services is hereby authorized to conduct a reallocation of all the certified corrections officer and internal affairs investigators from the rank of corrections officer trainee through the rank of major at the NH department of corrections. The department of administrative services shall conduct an assessment review of the reallocation request pursuant to personnel rule Per 303.

II. The governor is authorized to draw a warrant for said sums in this section out of any money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such funds shall not lapse until June 30, 2025.

16 Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III-a and IV to read as follows:

III-a. The commissioner shall nominate for appointment by the governor and council a chief operations officer of the commissioner's office who shall serve for a term of 4 years. The chief operations officer shall oversee and coordinate the activities of the administrative services ***unit*** [~~, geology, public information and permitting, and laboratory services units,~~] and shall be responsible for the following functions:

(a) Preparing agency budget requests.

(b) [~~Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office.~~

~~(c) Ensuring compliance with directives and procedures by the governor and general court.~~

~~(d) Implementing audit recommendations concerning the commissioner's office units.~~

~~(e)~~] Carrying out the directives of the commissioner and assistant commissioner.

IV. ***The commissioner, or assistant commissioner, as designated by the commissioner, shall be responsible for the following functions:***

(a) Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office;

(b) Ensuring compliance with directives and procedures by the governor and general court; and

(c) Implementing audit recommendations concerning the commissioner's office units.

V. The salaries of the commissioner, the assistant commissioner, the chief operations officer and each division director shall be as specified in RSA 94:1-a.

17 Department of Environmental Services; Office of the Commissioner. Amend RSA 21-O:12 to read as follows:

21-O:12 Office of the Commissioner. The commissioner of environmental services shall establish units within [~~his~~] ***the*** office to be responsible for: administrative services, [~~geology~~] ***geological survey, human resources,*** planning, public information and permitting, risk analysis and management, and [~~laboratory services~~] ***legal,*** which shall include the following functions and such other functions as may be assigned by the commissioner:

I. Administrative services shall include the following services to all divisions, to the greatest extent possible:

(a) Accounting, purchasing, and budget control.

(b) Personnel management.

(c) Property, contracts, and grants management.

[~~(d) Data processing.~~

~~(e) Compiling, indexing, and managing data collected by all divisions, which shall be used to establish a departmental data base for use by all divisions of the department, and which shall be a public record.~~]

II. Geology shall be under the direction of the state geologist, who shall be the director of the New Hampshire geological survey. The geological survey shall collect data and perform research on the land, mineral, and water resources of the state, and disseminate the findings of such research to the public through maps, reports, and other publications. The state geologist shall: consult with the commissioner of the department of natural and cultural resources relative to the issuance of mining permits under RSA 12-E; assist the directors of the divisions of water and waste management as necessary; and perform such other duties as may be assigned by the commissioner. The state geologist and all members of the New Hampshire geological survey shall be staff members of the commissioner's office. The state geologist shall advise the department, and all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geologic agencies and with the state university. The state geologist shall also serve as a voting member of the board of professional geologists.

III. Planning shall be under the direct supervision of the assistant commissioner and shall include all department-level short and long-range planning activities and the coordination and compilation of all division-level planning activities.

IV. Public information and permitting shall assist members of the general public, whenever possible by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements.

V. The risk analysis and management function shall be the direct responsibility of the assistant commissioner, in accordance with RSA 125-H:7. The commissioner may call on any personnel from any division or any other state department to assist the assistant commissioner in the event of a crisis, disaster, or other occurrence or condition requiring analysis and management of an actual or suspected risk of damage to the environment. The unit, once assembled by the commissioner in the event of a crisis, disaster, occurrence, or condition, shall work closely with the risk assessment bureau in the department of health and human services under the direction of the assistant commissioner to:

(a) Make assessments of potential or actual risk of harm to the environment or, in cooperation with the risk assessment bureau of the department of health and human services, to persons.

(b) Manage environmental risk hazards using the results of the assessment described above or any other available information to develop and evaluate regulatory options, within a statutory framework, to reduce or eliminate the risk of harm to the environment.

~~[VI. Laboratory services shall include such expert assistants and such facilities as are necessary to support the investigatory, analytical, and enforcement functions of the department of environmental services. The commissioner shall provide the commissioner of the department of health and human services with direct access to all raw data, test results, and other information and samples received or generated by the laboratories in the department deemed necessary by the commissioner of the department of health and human services in order to carry out his or her responsibilities to protect the public health.]~~

18 Department of Justice; Attorney General; Deputy; Associates; Assistants. Amend RSA 21-M:3, VIII-IX to read as follows:

VIII. The attorney general shall appoint qualified applicants to serve as a hearing officer for appeals to any of the councils established under RSA 21-O. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to transfer funds sufficient to fund the hearing officer position, ***clerical and support personnel and services,*** and related expenses. Such individual or individuals shall:

(a) Be qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts; and

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department.

VIII-a. Upon request by the commissioner of the department of environmental services, the attorney general shall appoint qualified applicants to serve as a hearing officer for all administrative enforcement matters authorized under any provision of law including, but not limited to, administrative fines and license actions. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts;

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department;

(c) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences; and

(d) Provide the commissioner with a proposed written decision on the merits within 45 days of the conclusion of the final hearing.

IX. When designated as the hearing officer for a particular appeal ***to any of the councils established under RSA 21-0***, the hearing officer shall:

(a) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences;

(b) Subject to RSA 21-O:14, at the first prehearing conference order the parties and any persons who have been allowed to intervene to participate in mediation if the hearing officer concludes that it is reasonably possible that mediation will result in the resolution of the issues in dispute in the proceeding. No order to mediate shall stay the appeal proceeding;

(c) [~~Adopt all findings of fact made by the council except to the extent any such finding is without evidentiary support in the record;~~

~~(d) Deliberate with~~] ***Receive advice from an advisory quorum of*** the council [~~before reaching conclusions on mixed questions of law and fact~~] ***as described in RSA 21-O:14***;

[~~(e)~~] ***(d)*** Decide ***all issues in the appeal including*** all questions of ***fact and*** law presented during the pendency of the appeal; and

[~~(f)~~] ***(e)*** Prepare and issue written decisions on all motions and on the merits of the appeal within 100 days of the conclusion of the hearing on the merits. [~~The hearing officer shall provide the council with a proposed written decision on the merits within 45 days of the conclusion of the hearing on the merits. If requested to do so by the members of the council participating in the discussion, the hearing officer shall meet with those members within the 100 day period to discuss the decision.~~]

19 Department of Environmental Services; Duties of Commissioner. Amend RSA 21-O:3, VIII-X to read as follows:

VIII. Provide all necessary clerical and technical support to any council established by this chapter. At a minimum, the commissioner shall:

(a) [~~For any appeal from a department decision before any such council provide all necessary clerical and support personnel and services in order to:~~

~~(1) Prepare notices and other documents required under RSA 541-A and distribute such notices and documents as directed by the hearing officer appointed under RSA 21-M:3, VIII;~~

~~(2) Schedule the conduct of all council administrative appeal proceedings, as directed by the hearing officer appointed under RSA 21-M:3, VIII so as to ensure timely and efficient conduct of such proceedings;~~

~~(3) Prepare and maintain the record, required by RSA 541-A, of all such appeals, which shall include the decisions issued in such proceedings.~~

~~(b)~~] Provide comfortable and adequate space for the use of all councils in performing their official duties; and

[~~(c)~~] ***(b)*** Provide all necessary clerical and support personnel and services in order to:

(1) Prepare and distribute notices and other documents required under RSA 91-A for council meetings; and

(2) Prepare and maintain as public records the official minutes of the meetings of all councils supported by the department.

VIII-a. Have the authority to enter into a memorandum of understanding with the attorney general pursuant to RSA 21-M:3, VIII and VIII-a, to fund the hearing officer position, clerical and support personnel and services, and related expenses.

IX. [Repealed.]

X. [Repealed.]

20 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, V-VII to read as follows:

V. ***A quorum of at least 3 members of*** the wetlands council shall [~~hear all~~] ***serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for*** administrative appeals from department decisions made under RSA 482-A relative to wetlands, or under RSA 483-B relative to shoreland protection [~~and shall decide all disputed issues of fact in such appeals,~~] in accordance with RSA 21-O:14. ***Such a quorum shall be appointed by the chairperson; however, any member of the wetlands council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.***

VI. The commissioner of the department of environmental services shall present all proposed rules relative to wetlands and protected shorelands to the wetlands council for consideration prior to filing a notice of proposed rule under RSA 541-A:6. The council shall present any objections to proposed rules to the commissioner in writing within 15 days. The commissioner may adopt a rule to which the council has objected only after presenting a written reply to the council detailing the reasons for adopting the rule over the objections of the council.

VII. [~~The council shall adopt rules in accordance with the rulemaking provisions of RSA 541-A to govern its proceedings.~~] ***During an appeal,*** the council shall be subject to the requirements of RSA 541-A:36[~~, notwithstanding RSA 21-O:14~~].

21 Department of Environmental Services; Water Council. Amend RSA 21-O:7, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the water council shall [~~hear all~~] ***serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for*** administrative appeals from department decisions relative to the functions and responsibilities of the division of water other than department decisions made under RSA 482-A relative to wetlands and RSA 483-B relative to shoreland protection[~~, and shall decide all disputed issues of fact in such appeals,~~] in accordance with RSA 21-O:14. ***Such quorum shall be appointed by the***

chairperson; however, any member of the water council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.

22 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, V to read as follows:

V. ***A quorum of at least 3 members of*** the waste management council shall [~~hear all~~] ***serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for*** administrative appeals from department decisions relative to the functions and responsibilities of the division of waste management[~~, and shall decide all disputed issues of fact in such appeals,~~] in accordance with RSA 21-O:14. ***Such quorum shall be appointed by the chairperson; however, any member of the waste management council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.***

23 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the air resources council shall [~~hear all~~] ***serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for*** administrative appeals from department decisions relative to the functions and responsibilities of the division of air resources [~~and shall decide all disputed issues of fact in such appeals,~~] in accordance with RSA 21-O:14. ***Such quorum shall be appointed by the chairperson; however, any member of the air resources council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.***

24 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, I-a and I-b to read as follows:

I-a.(a) Any person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal ***such decision by submitting a notice of appeal*** to the council having ***advisory*** jurisdiction over the subject matter of the appeal within 30 days of the date of the decision and shall set forth fully in a notice of appeal every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. ***The appeal shall be heard by a hearing officer designated pursuant to RSA 21-M:3, VIII, with the advice of a quorum of the council.*** Only those grounds set forth in the notice of appeal shall be considered by the ***hearing officer and the quorum of the*** council. On any such appeal, the [~~council~~] ***hearing officer*** shall determine whether the department decision was unlawful or unreasonable by reviewing the administrative record together with any evidence and testimony the parties to the appeal may present.

(b) On appeal, the [~~council~~] ***hearing officer*** may affirm the department decision or may remand the matter to the commissioner with a determination that the decision complained of is

unlawful or unreasonable. The [~~council~~] ***hearing officer*** shall specify the factual and legal basis for its determination and shall identify the evidence in the record created before the council that supports its decision.

(c) In the case of a remand to the commissioner [~~by the council~~], the commissioner shall:

(1) Accept the [~~council's~~] ***hearing officer's*** determination and take action consistent with the determination, imposing such conditions as are necessary and consistent with the purposes of the chapter under which the department decision was issued; or

(2) Appeal as provided in paragraph III.

(d) If the commissioner issues a revised decision, the department may at any time, and the appellant may within 30 days of issuance, request the council to confirm that the revised decision is consistent with the council's remand order.

I-b. As an alternative to filing an appeal under paragraph I-a and in addition to any other remedy provided by law, any person aggrieved by a department permitting decision may, within 30 days of the date of the decision, file with the council having jurisdiction over the subject matter of the appeal a preliminary notice of appeal and an offer to enter into settlement discussions. Filings made under this paragraph shall be made on forms maintained by the department and shall be governed by the following:

(a) Notwithstanding any other provision of law prescribing the contents of a notice of appeal, a preliminary notice of appeal shall contain only information identifying the appellant, the decision being appealed, and a list of every ground on which the appellant claims that the decision is unlawful or unreasonable.

(b) The preliminary notice of appeal and offer to enter into settlement discussions shall be served on the commissioner and, if not filed by the applicant, on the applicant on the same day as they are filed with the council.

(c) The offer to enter into settlement discussions shall propose mediated settlement discussions, unmediated settlement discussions, or both.

(d) The department and, if applicable, the applicant shall notify the appellant in writing within 7 days whether they accept the offer to enter into settlement discussions. Any such notification accepting the offer shall propose dates within the ensuing 30 days on which to hold the settlement discussions, and if the appellant's offer proposed both mediated and unmediated settlement discussions the notification shall elect one or the other.

(e) A notice of appeal that complies fully with the [~~council's~~] ***procedural*** rules ***established pursuant to RSA 21-O:14, IV,*** shall be filed no later than 45 days after the preliminary notice of appeal was filed by the appellant under this paragraph. No notice of appeal shall raise grounds for appeal beyond those contained in the preliminary notice of appeal.

(f) If the department and, if applicable, the applicant accept the offer to enter into settlement discussions the appeal shall be stayed until a notice of appeal is filed under subparagraph (e).

(g) If the parties enter into mediated settlement discussions under this paragraph, the provisions of paragraph I-c(a), (b), and (d) shall apply.

25 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, III and IV to read as follows:

III. Any party aggrieved by the disposition of an administrative appeal [~~before any council established by~~] ***under*** this chapter may appeal such results in accordance with RSA 541.

IV. The [~~councils established under this chapter~~] ***attorney general*** shall adopt ***procedural*** rules under RSA 541-A to govern the conduct of administrative appeals under this section. [~~To the extent possible, the rules of the councils shall be consistent with each other.~~]

26 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30, I-b to read as follows:

I-b. [~~There is hereby established the subsurface systems fund into which~~] The fees collected under paragraph I shall be deposited ***in the water resources fund established in RSA 482-A:3, III*** [~~. The fund shall be a separate, nonlapsing fund, continually appropriated to the department~~] for the purpose of paying all costs and salaries associated with the subsurface systems program ***and other land resources management programs***.

27 Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed.

28 Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to wetlands under RSA 482-A, protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17, conducting field investigations, ***individual sewage disposal systems and subdivisions under RSA 485-A:30,*** and holding public hearings. Such fees and any monetary grants, gifts, donations, or interest generated by these funds shall be deposited with and held by the treasurer in a nonlapsing ***and continuously appropriated*** fund identified as the water resources fund.

29 Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. Amend RSA 485-A:7-a, II to read as follows:

II. All applications shall be accompanied by a $50 fee to cover department expenses for conducting the certification program. All fees shall be deposited [~~with the state treasurer and deposited~~] in a special nonlapsing ***and continuously appropriated*** wastewater plant operator

certification fund to be used by the department for the administration of this subdivision and for the operation of the department-owned Wastewater Plant Operator Training Center.

30 Water Management and Protection; Aid to Municipalities for Water Pollution Control; Application for Funding. Amend RSA 486:7 to read as follows:

486:7 Application for Funding. Application for payments under the provisions of this chapter shall be made in accordance with rules adopted by the department under RSA 541-A, and shall be based upon reports filed with the department prior to January 31 in the calendar year for which payment is being requested. ***Final applications must be received within one year of final completion of project to be eligible for funding.***

31 Appropriation; Department of Environmental Services; Municipal Water Pollution Control. There is hereby appropriated to the department of environmental services the sum of $27,900,000 for the fiscal year ending June 30, 2023 for the purpose of administering payments pursuant to RSA 486:1 - RSA 486:8. The sum appropriated shall be nonlapsing for the biennium concluding June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

32 Effective Date. Section 31 of this act shall take effect June 30, 2023.

33 Water Management and Protection; Water Pollution and Waste Disposal; Enforcement; Terrain Alteration. Amend RSA 485-A:17, II(b) to read as follows:

(b) The department shall charge a non-refundable fee of $500 plus a $.10 per square foot ***of disturbance associated with the amendment request*** fee for each request to amend a permit that requires plans to be reviewed.

34 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

II. To provide funds for the municipal share of the costs involved pursuant to this subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of [~~$3,000,000~~] ***$30,000,000*** and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

35 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Municipal Assessments. Amend RSA 485-A:50, III to read as follows:

III. The respective share of the assessments made in paragraphs I and II shall be paid to the department by each municipality quarterly [~~on July fifteenth, October fifteenth, January fifteenth, and April fifteenth of that fiscal year~~], except for capital cost recovery assessments which shall be paid annually [~~on July fifteenth~~]. After the close of each fiscal year, the department shall ascertain its actual total expenses in accordance with the foregoing provisions, and then shall adjust the assessment for the second quarterly payment of the new fiscal year for each such municipality served for any under-payment or over-payment by each such municipality served for the prior fiscal year.

36 New Chapter; PCB Assistance. Amend RSA by inserting after chapter 483-E the following new chapter:

CHAPTER 483-F

PCB ASSISTANCE

483-F:1 Purpose Statement. The general court recognizes that polychlorinated bi-phenyl (PCB) contamination is widespread in New Hampshire and impacts both land and water. As a result of PCB laden products used both as intended and inappropriately dumped from 1929-1977, over 100 waterways have become impaired for fish consumption. In addition, waterfowl have been found to have high levels of PCBs in their blood and in their eggs. The general court hereby declares that the purpose of this chapter is to better understand the impact of PCBs on aquatic life and to ameliorate those impacts to the greatest extent possible.

483-F:2 Definitions. In this chapter:

I. "Department" means the department of environmental services.

II. "Fund" means the PCB assistance fund established in this chapter.

483-F:3 PCB Assistance Fund.

I. There is hereby established in the department the PCB assistance fund which shall be maintained in distinct and separate custody from all other funds, notwithstanding RSA 6:12. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services for the purposes of this chapter.

II. The commissioner may apply for and accept, from any source, gifts; donations of money; grants; federal, local, private, and other matching funds and incentives; and interests in land for the purposes of this chapter. The moneys collected under this paragraph shall be deposited in the fund established under paragraph I of this section.

III. The commissioner shall adopt rules relative to the distribution of money from the fund, taking into consideration ability to pay, natural disaster conditions and locations, requirements for repair, replacement and treatment, and other factors as determined by the department.

37 Appropriation; Department of Environmental Services; PCB Contamination. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the department of environmental services for the purpose of assisting to fund studies, investigations and remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

38 Effective Date. Section 37 of this act shall take effect June 30, 2023.

39 New Subdivision; InvestNH Program. Amend RSA 12-O by inserting the following new subdivision after section 68:

InvestNH Fund and Program

12-O:69 Fund established. There is hereby established in the office of the state treasurer a fund to be known as the InvestNH fund. The fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source. The fund may be expended by the commissioner to accomplish the purposes of RSA 12-O:70. The moneys in this fund shall be non-lapsing.

12-O:70 InvestNH Program. The department shall establish a program to make grants for the purpose of accelerating the approval and construction of workforce housing, as defined in RSA 674:58, IV, and other types of housing determined by the department to be important for the economic development of the state. Grants may be made by the department to municipalities. The program shall be known as the InvestNH program. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024.

40 New Subparagraph; Application of Receipts; InvestNH Program. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the InvestNH fund as established in RSA 12-O:69.

41 Appropriation; InvestNH. The sum of $15,000,000 for the for the fiscal year ending June 30, 2023 is hereby appropriated to the InvestNH fund established in RSA 12-O:69 for the purposes set forth in RSA 12-O:70. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

42 Effective Date. Section 41 of this act shall take effect June 30, 2023.

43 Appropriation; Affordable Housing Fund. The sum of $30,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

44 Effective Date. Section 43 of this act shall take effect June 30, 2023.

45 Repeals; Advanced Manufacturing Education. The following are repealed:

I. RSA 188-E:21, relative to the advanced manufacturing education advisory council.

II. RSA 188-E:22, relative to the advanced manufacturing education advisory council membership and terms.

III. RSA 188-E:23, relative to the advanced manufacturing education advisory council duties.

IV. RSA 188-E:23-a, relative to the advanced manufacturing education fund.

46 New Subdivision; Bridges House Special Account. Amend RSA 4:9 by inserting after section 4:9-r the following new subdivision:

Bridges House Special Account

4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the state treasury the Bridges house special account fund. The funds may be comprised of public funds, gifts, grants or donations or any other source of funds, and shall be used for the purposes of the care, maintenance, and repair of, and additions to, the Bridges house, or for any other relevant purpose deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be continually appropriated to the department.

47 New Subparagraph; Application of Receipts; Bridges House Special Account. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the bridges house special account fund under RSA 4:9-s.

48 New Section; Department of Corrections; New Hampshire State Prison Fund Established. Amend RSA 21-H by inserting after section 16 the following new section:

21-H:17 Department of Corrections; New Hampshire State Prison Fund Established. There is hereby established in the state treasury a state prison fund, which shall be a fund administered by the department of corrections. The fund shall not lapse. The fund is established for the purpose of design and construction of a new New Hampshire state prison.

49 New Subparagraph; Application of Receipts; New Hampshire State Prison Fund 2023. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire state prison fund under RSA 21-H:17.

50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is hereby appropriated to the department of corrections the sum of $10,000,000 for the fiscal year ending June 30, 2023 for deposit in the state prison fund under RSA 21-H:17, for the purpose of preliminary design and complete site survey for a new state prison. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

51 Effective Date. Sections 48-50 of this act shall take effect June 30, 2023.

52 Appropriation; Department of Corrections; IT Infrastructure. There is hereby appropriated to the department of corrections the sum of $1,340,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing until June 30, 2025 for the purpose of replacing certain computers and information technology infrastructure. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

53 Effective Date. Section 52 of this act shall take effect on June 30, 2023.

54 Appropriation; Department of Administrative Services. There is hereby appropriated to the department of administrative services the sum of $21,000,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 2 Granite Place, Concord, New Hampshire in order to provide office space for the department of justice and other state agencies, or for any other purpose the commissioner of the department of administrative services determines is necessary, provided that

any unexpected amount following the purchase shall lapse to the general fund. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

55 Effective Date. Section 54 of this act shall take effect on June 30, 2023.

56 Appropriation; Body-Worn and Dashboard Camera Fund. There is hereby appropriated to the department of Safety for deposit in the body-worn and dashboard camera fund established in RSA 105-D:3 the sum of $1,005,000 for the fiscal year ending June 30, 2023. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

57 Effective Date. Section 56 of this act shall take effect on June 30, 2023.

58 Department of Natural and Cultural Resources; Christa McAuliffe Memorial.

I. The department of natural and cultural resources shall design, construct, and maintain a permanent memorial to Christa McAuliffe on state house grounds, specifically, at the front facing area of the state house.

II. The governor is authorized to accept for the department of natural and cultural resources, in the name of the state, any gifts of money, which are donated to construct and maintain the Christa McAuliffe memorial. Notwithstanding any other provision of law, the department may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial without governor and council approval.

III. Any gifts of money, which are donated to contract, construct, and maintain the memorial, shall be placed in the special nonlapsing account in the state treasury, to be expended for the purposes of the Christa McAuliffe memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, repair, and additions to the memorial, or for any other purpose deemed appropriate.

IV. The memorial shall be permanently affixed to state house grounds, on the front facing portion of the state house, upon completion.

59 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department of natural and cultural resources which shall be placed in a special nonlapsing account in the state treasury, the sum of $100,000 for the fiscal year ending June 30, 2023 for the purpose of designing, constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds, specifically the front facing area of the state house. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

60 Effective Date. Sections 58 and 59 of this act shall take effect June 30, 2023.

61 New Section; Department of Education; The Commission on New Hampshire Civics; Commission Established. Amend RSA 21-N by inserting after section 8-b the following new section:

21-N:8-c Commission Established; Department of Education; New Hampshire Schools Civics Program. The commission on New Hampshire civics is hereby established to develop educational materials to teach the state constitution in New Hampshire schools.

I. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

(a) Three public members appointed by the governor, of which at least one shall be a parent of a student in a qualified New Hampshire education program.

(b) The chair of NH Civics, or designee.

(c) The chief justice of the New Hampshire supreme court, or designee.

(d) The secretary of state, or designee.

(e) The chief administrative judge of the New Hampshire superior court, or designee.

(f) The chief administrative judge of the New Hampshire circuit court or designee.

(g) The commissioner of the department of education, or designee.

(h) Two New Hampshire civics teachers appointed by the commissioner of education.

(i) The executive director of the New Hampshire historical society, or designee.

(j) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(k) One member of the senate, appointed by the president of the senate.

(l) One member of the governor's office, appointed by the governor.

II. The commission shall create a textbook and related curriculum specifically designed for New Hampshire students and teachers to help them explore the history, heritage and principles of the New Hampshire Constitution and the government it established.

(a) A paper copy of the published textbook shall be available for each New Hampshire civics classroom and an interactive electronic version shall be made available on the department of education's website or in another form to all New Hampshire citizens at no charge.

(b) The commission shall meet as often as the chair determines and shall publish the book on or before August 1, 2025.

III. The members of the commission shall elect a chairperson among the members. The first meeting of the commission shall be called by the first-named governor appointee. The first meeting of the commission shall be held within 30 days of the effective date of this section. A majority of the members of the commission shall constitute a quorum.

62 Appropriation; Department of Education. There is hereby appropriated to the department of education the sum of $250,000 for the fiscal year ending June 30, 2023 which shall not lapse until June 30, 2025 for the purpose of expanding the Teacher of the Year program by providing promotional, training, professional development, and collaboration with other stakeholder's opportunities.

63 Effective Date. Section 62 of this act shall take effect June 30, 2023.

64 Appropriation; Department of Natural and Cultural Resources; State Library. There is hereby appropriated to the department of natural and cultural resources the sum of $1,000,000 for the fiscal year ending June 30, 2023 to begin executing a process to assess the books and material currently in the state library and begin the removal and safe storage of the books and materials. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

65 Effective Date. Section 64 of this act shall take effect June 30, 2023.

66 Board of Tax and Land Appeals. Amend RSA 71-B:1 to read as follows:

71-B:1 Board Established. There is hereby established a board of tax and land appeals, hereinafter referred to as the board, which shall be composed of 3 members who shall be learned and experienced in questions of taxation or of real estate valuation and appraisal or of both. ***At least one member of the board shall be an attorney admitted to practice in New Hampshire.*** The members of the board shall be full-time employees and shall not engage in any other employment during their terms that is in conflict with their duties as members of the board.

67 New Paragraph; Definition; Vested. Amend RSA 100-A:1 by inserting after paragraph XXXVII the following new paragraph:

XXXVIII. "Vested" means that a member is qualified for a benefit upon 10 years of service. The calculations of earnable compensation under RSA 100-A:1, XVII and average final compensation under RSA 100-A:1, XVIII cannot be reduced after 3 years of service.

68 Definition of Earnable Compensation; Group II. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For ***group I*** members who have attained vested status prior to January 1, 2012 the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. [~~Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII~~]. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months

or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b)(1) For ***group I*** members who have not attained vested status prior to January 1, 2012, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2)[~~, (3), and (4)~~] ***and (3)***, any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system[, ~~compensation for extra and special duty,~~] and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation and teacher development pay that is not part of the contracted annual salary.

(2) [~~Compensation over base pay shall be limited during the highest 5 years of creditable service as provided in paragraph XVIII.~~

~~(3)~~] Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

[~~(4)~~] ***(3)*** Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to

termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

(c) For group II members who have attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for instructional activities, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation. Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after

a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(d)(1) For group II members who have not attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2), and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, compensation for extra and special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation that is not part of the contracted annual salary.

(2) Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

(3) Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

69 Definition of Average Final Compensation; Group II. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For ***group I*** members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. [~~For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.~~]

(b) ***For group II members who have attained vested status prior to January 1, 2013, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.***

[~~(b)~~] ***(c)*** For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

[~~(c)(1)~~] ***(d)(1)*** For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, [~~2012~~] ***2013***, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, ***2013***.

(2) For group II members who commenced service on or after July 1, 2011 [~~and who have not attained vested status prior to January 1, 2012~~], the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

70 Group II Service Retirement Benefits. Amend RSA 100-A:5, II to read as follows:

II. Group II Members.

(a) Any group II member in service, who is in vested status before January 1, [~~2012~~] ***2013***, who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25 years of creditable service, and group II members who have not attained vested status prior to January 1, [~~2012~~] ***2013*** as provided in the transition provisions in RSA 100-A:5, II(d), or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of retirement; and

(2) For members who are in vested status before January 1, [~~2012~~] ***2013***, a state annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years, and group II members who have not attained vested status prior to January 1, [~~2012~~]

2013 shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of 40.5 years.

(3) Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before January 1, [~~2012~~] ***2013*** and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to January 1, [~~2012~~] ***2013*** who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of $10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the $10,000.

(2) [Repealed.]

(3) [Repealed.]

(d) Active group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, [~~2012~~] ***2013*** shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and the multiplier used to calculate the retirement annuity[~~, which shall be applicable on or after January 1, 2012~~] according to the following table:

Creditable service on January 1, 2012	Minimum years of service	Minimum age attained	Annuity multiplier
[~~(1) Less than 4 years~~	~~24~~	~~age 49~~	~~2.1%~~
~~(2) At least 4 years but less than 6 years~~	~~23~~	~~age 48~~	~~2.2%~~
~~(3) At least 6 years but less than 8 years~~	~~22~~	~~age 47~~	~~2.3%~~
~~(4) At least 8 years but less than 10 years~~]	~~21~~	~~age 46~~	~~2.4%~~
(1) Less than 1 year	**24**	**age 49**	**2.1%**
(2) At least 1 years but less than 2 years	**24**	**age 49**	**2.1%**
(3) At least 2 years but	**24**	**age 49**	**2.1%**

less than 3 years			
(4) At least 3 years but less than 4 years	**24**	**age 49**	**2.1%**
(5) At least 4 years but less than 5 years	**23**	**age 48**	**2.2%**
(6) At least 5 years but less than 6 years	**23**	**age 48**	**2.2%**
(7) At least 6 years but less than 7 years	**22**	**age 47**	**2.3%**
(8) At least 7 years but less than 8 years	**22**	**age 47**	**2.3%**
(9) At least 8 years but less than 9 years	**21**	**age 46**	**2.4%**

(e) Notwithstanding the transition provisions of subparagraph (d), the member may replace the additional years of service required for minimum retirement age with the years of service that are purchased under RSA 100-A:4, IX. Therefore, allowing the member to retire between the age of 45 and 49 depending upon the years of service purchased. The purchased years under RSA 100-A:4, IX shall have an annual multiplier of 2.5 percent regardless of the percentage listed in subparagraph (d).

71 Retirement; Maximum Retirement Benefit. Amend RSA 100-A:6-a to read as follows:

100-A:6-a Maximum Retirement Benefit.

(a) Notwithstanding any other provision of this chapter to the contrary, for members who commenced service before [~~July 1, 2009~~] ***July 1, 2001***, [~~or have attained vested status prior to January 1, 2012,~~] a member's initial calculation of the retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year of earnable compensation.

(b) For members who commenced service on or after [~~July 1, 2009 and have not attained vested status prior to January 1, 2012,~~] ***July 1, 2001 and before July 1, 2011,*** a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of [~~85~~] ***100*** percent of the member's average final compensation or [~~$120,000~~] ***$125,000***.

(c) For members who commenced service on or after July 1, 2011, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of 85 percent of the member's average final compensation or $125,000.

(d) Nothing in this section shall affect the ability of a member to receive disability benefits pursuant to RSA 100-A:6, II(b) and (c). This provision shall not limit the application of supplemental allowances.

72 Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2012" with the term "January 1, 2013": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d.

73 Subsequent Changes Effective January 1, 2025; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2013" with the term "January 1, 2014": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (9) from the table in RSA 100-A:5, II(d).

74 Subsequent Changes Effective January 1, 2026; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2014" with the term "January 1, 2015": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (8) from the table in RSA 100-A:5, II(d).

75 Subsequent Changes Effective January 1, 2027; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2015" with the term "January 1, 2016": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (7) from the table in RSA 100-A:5, II(d).

76 Subsequent Changes Effective January 1, 2028; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2016" with the term "January 1, 2017": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (6) from the table in RSA 100-A:5, II(d).

77 Subsequent Changes Effective January 1, 2029; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2017" with the term "January 1, 2018": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (5) from the table in RSA 100-A:5, II(d).

78 Subsequent Changes Effective January 1, 2030; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2018" with the term "January 1, 2019": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (4) from the table in RSA 100-A:5, II(d).

79 Subsequent Changes Effective January 1, 2031; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2019" with the term "January 1, 2020": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (3) from the table in RSA 100-A:5, II(d).

80 Subsequent Changes Effective January 1, 2032; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2020" with the term "January 1, 2021": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (2) from the table in RSA 100-A:5, II(d).

81 Subsequent Changes Effective January 1, 2033; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions as follows:

I. 21-I:30, VIII; remove "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

II. 100-A:1, XVII(c); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

III. 100-A:1, XVII(d)(1); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service on or after July 1, 2011".

IV. 100-A:1, XVIII(b); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

V. 100-A:1, XVIII(d)(1); delete subparagraph (1).

VI. 100-A:1, XXXVII (b)(1) and (3); in (1), replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

VII. 100-A:5, II(a); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

VIII. 100-A:5, II(b)(2); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete ", and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d) with maximum number of years of credible service not in excess of 40.5 years".

IX. 100-A:5, II(c)(1); replace "who is in vested status before January 1, 2021 and" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

X. 100-A:5, II(d), delete the subparagraph.

XI. 100-A:6, II(b); replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2021 as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of credible service not in excess of 40.5 years".

XII. 100-A:6, II(d)(1) and (3); in (1) replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

XIII. 100-A:10, II(b); replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011". Delete "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

XIV. 100-A:16, I(aa); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011".

XV. 100-A:19-b, II(a) and (c); in (a)replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011", and delete subparagraph (c).

XVI. 100-A:19-d; replace "for members who are in vested status with Group II service before January 1, 2012" with "for members who commenced service before July 1, 2011".

82 Retirement System; Group II; Funding; Appropriations.

I. The sum of $25,000,000 per state fiscal year is hereby appropriated to the retirement system to fund the cost of benefits under this act. Such sums shall be transferred on July 1 each year, with the first payment starting July 1, 2023 and the last payment occurring on July 1, 2032.

II. In addition, the sum necessary for the biennium ending FY 2025 for the state to cover any costs incurred by political subdivisions in the implementation of the group II changes in this act is hereby appropriated.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

83 Effective Date.

I. Section 73 of this act shall take effect January 1, 2025.

II. Section 74 of this act shall take effect January 1, 2026.

III. Section 75 of this act shall take effect January 1, 2027.

IV. Section 76 of this act shall take effect January 1, 2028.

V. Section 77 of this act shall take effect January 1, 2029.

VI. Section 78 of this act shall take effect January 1, 2030.

VII. Section 79 of this act shall take effect January 1, 2031.

VIII. Section 80 of this act shall take effect January 1, 2032.

IX. Section 81 of this act shall take effect January 1, 2033.

X. Sections 67-72 of this act shall take effect January 1, 2024.

84 Taxation of Incomes; Rate. Amend RSA 77:1 to read as follows:

77:1 Rate.

I. The annual tax upon incomes shall be levied at the rate of 5 percent for all taxable periods ending before December 31, 2023.

II. The annual tax upon incomes shall be levied at the rate of 4 percent for all taxable periods ending on or after December 31, 2023.

III. The annual tax upon incomes shall be levied at the rate of 3 percent for all taxable periods ending on or after December 31, 2024.

~~[IV. The annual tax upon incomes shall be levied at the rate of 2 percent for all taxable periods ending on or after December 31, 2025.~~

~~V. The annual tax upon incomes shall be levied at the rate of 1 percent for all taxable periods ending on or after December 31, 2026.]~~

85 Returns for Interest and Dividends Taxes; 2027. Amend 2021, 91:100 to read as follows:

91:100 Returns for Interest and Dividends Taxes; [~~2027~~] ***2025***. All persons who are liable for a tax under RSA 77 as of December 31, [~~2026~~] ***2024***, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to

permit the audit and collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, [~~2026~~] ***2024***, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

86 Application; Repeal of RSA 77. Amend 2021, 91:101 to read as follows:

91:101 Application; Repeal of RSA 77. Paragraph II of section 99 shall apply to taxable periods beginning after December 31, [~~2026~~] ***2024***.

87 Amend Effective Date; Amend Repeal of Interest and Dividends Tax from 2027 to 2025. Amend 2021, 91:102, II to read as follows:

II. Sections 90-100 of this act shall take effect January 1, [~~2027~~] ***2025***.

88 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after hearing, impose a civil penalty not to exceed $2,500, as determined by the commissioner, for any violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-C, and RSA 282-A. All moneys collected under this section shall be deposited [~~in the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

89 Workers' Compensation; Liability of Employer Failing to Comply. Amend RSA 281-A:7, I(b) to read as follows:

(b) An insurance carrier which insures an employer and fails to file with the commissioner a notice of coverage within a reasonable period of time as prescribed by rule shall be assessed a civil penalty of up to $50 for each day of noncompliance. The commissioner shall deposit all moneys collected under this subparagraph [~~with the state treasurer for deposit into the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

90 Occupational Health and Safety Administration Certification. Amend RSA 277:5-a, III to read as follows:

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation and enforcement of this section. The commissioner may also assess a civil penalty of up to $2,500; in addition, such an employer shall be assessed a civil penalty of $100 per employee for each day of noncompliance. All funds collected under this section shall be deposited into the [~~general fund~~] ***department of labor restricted fund established in RSA 273:1-b***. The labor commissioner shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.

91 Penalty Appeal Board. Amend RSA 273:11-b to read as follows:

273:11-b Penalty Appeal Board.

I. There is hereby created a penalty appeal board which shall hear appeals from penalties imposed by the commissioner.

II. The board shall be composed of 3 members, as follows:

(a) One person representing the interests of management, to be appointed by the governor and council;

(b) One person representing the interests of labor, to be appointed by the governor and council; and

(c) One person to serve as chairman, who shall be an attorney and who shall be familiar with the labor laws of this state. The chairman shall be [~~chosen and~~] appointed [~~jointly~~] by ***the governor and council*** [~~the other 2 members of the board; provided, however, that, if such members are unable to agree on the appointment of the chairman within 30 days after the later of their appointments, the governor and council shall appoint the chairman~~].

III. At the time of making appointments pursuant to paragraph II, the governor and council [~~or 2 appointing members of the board, as applicable,~~] shall also appoint an alternate member representing the interests of management, an alternate member representing the interests of labor and an alternate chairman, who shall serve whenever the corresponding member of the board is unable, because of a conflict of interest or otherwise, to participate in the determination of a matter before the board.

IV. Members and alternate members shall be appointed for terms of 3 years and shall serve until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms. [~~Members and alternate members shall serve without compensation but shall receive mileage at the same rate paid to state employees.~~]

V. The attorney member of the board shall receive $400 per diem and all other members of the board shall each receive $250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.

92 Family and Medical Leave Insurance. Amend RSA 275:37-d to read as follows:

275:37-d Family and Medical Leave Insurance. If an employer has 50 or more employees and sponsors family and medical leave insurance pursuant to RSA 21-I:99, then any employee of that employer who takes family or medical leave and accesses wage replacement benefits under such family and medical leave insurance coverage shall be restored to the position she or he held prior to such leave or to an equivalent position by her or his employer consistent with the job restoration provisions of the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section 2601 et seq. Such employers shall continue to provide health insurance to employees during the leave. However, employees shall remain responsible for any employee-shared costs associated with the health insurance benefits. Such employers shall not discriminate or retaliate against any employee for accessing family or medical leave wage replacement benefits. Employers of employees participating in the granite state paid family leave plan may require that paid leave taken under this program be taken concurrently or otherwise coordinated with leave allowed under the terms of a

collective bargaining agreement or other established employer policy or the Family and Medical Leave Act, as applicable. ***In addition, the commissioner may adopt rules under RSA 541-A to facilitate administration and enforcement of this section.***

93 Boiler and Pressure Vessels; Exceptions. Amend RSA 157-A:6, III(e) to read as follows:

(e) Pressure vessels that do not exceed (1) 5 cubic feet in volume [~~or~~] ***and*** 250 psig, (2) 1 1/2 cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

94 Workers' Compensation; Appeals Board. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. ***Until January 1, 2024,*** the board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. ***On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total.*** Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

95 Department of Transportation; Appeals Board. Amend RSA 21-L:14, I to read as follows:

I. There is established an appeals board consisting of 3 members. One member shall be a registered professional engineer, one member shall be a person admitted to the practice of law in this state, and one member shall be a person skilled in the field of public works and construction who shall represent the general public. There shall be 2 alternate board members, who shall meet at least one of the qualification categories set forth for board members. Each board member and alternate board member shall be appointed by the governor with the consent of the council to a term of 3 years, [~~provided that of the initial members appointed under this section one member shall be appointed to a term of one year, one member to a term of 2 years, and one member to a term of 3 years. Vacancies shall be filled in a like manner for the unexpired term~~] ***or until a successor is appointed and qualified, whichever is later***. The governor shall designate one member to serve as board chairman, and the board shall elect one member to serve as vice-chairman. In the event of illness or disqualification of a member as set forth in RSA 673:14, the chairman shall designate an alternate member to act in his place.

96 Appeals Board; Powers and Duties. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8[~~, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16~~].

97 Repeal. RSA 21-L:16, relative to the railroad appeals board, is repealed.

98 New Paragraph; Weight; Permit Fees. Amend RSA 266:22 by inserting after paragraph V the following new paragraph:

VI. There is hereby established an over-length, over-width, over-height, and over-weight revolving fund from revenue received under this section. All revenue received by the department of transportation for permit fees shall be credited to the fund and are hereby appropriated to the department of transportation. Funds shall be nonlapsing and continually appropriated for the operation and administration of the permit section at the department.

99 New Subparagraph; Application of Receipts; Over-length, Over-width, Over-height, and Over-weight Revolving Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the over-length, over-width, over-height, and over-weight revolving fund under RSA 266:22.

100 Highway Surveillance Prohibited. Amend RSA 236:130, III(f) to read as follows:

(f) Is undertaken for the security of the following bridges and approach structures: I-95 Piscataqua River Bridge, Sarah Mildred Long Bridge, and the Memorial Bridge, all in Portsmouth, ***as well as the Little Bay Bridges in Dover and Newington.***

101 Local Option; Prime Wetlands. Amend RSA 482-A:15, I-b to read as follows:

I-b. ***For the purposes of this chapter, existing state highway rights-of-way, including associated permanent easements, shall not include prime wetlands or their adjacent buffers.***

I-c. The commissioner shall adopt rules under RSA 541-A relative to the form, criteria, and methods that shall be used to designate, map, and document prime wetlands, determine boundaries in the field, and amend maps and designations once filed and accepted by the department under paragraph II.

102 Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. Amend RSA 228:31-a to read as follows:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of ***RSA 4:39-c and*** RSA 4:40 shall not apply to this section.

103 State Highways; Notice of Finding. Amend RSA 230:55 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes for property acquired by the state in 1945 or earlier, the commissioner shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. Notwithstanding any provision of law to the contrary, the commissioner may discontinue ***any right-of-way, or portion thereof, that was laid out by the state*** and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA [~~4:39~~] ***4:39-c***.

104 New Paragraph; New Hampshire Aeronautics Act; Revenue; Fees. Amend RSA 422:31 by inserting after paragraph IX the following new paragraph:

X. A credit card use convenience fee may be charged in addition to the required aircraft operating fee for each transaction, which the department is authorized to use towards the credit card fees incurred.

105 Turnpike System; Toll Criteria. Amend RSA 237:11, V to read as follows:

V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the New Hampshire turnpikes in the system for vehicles listed on a ***funded*** New Hampshire E-Z Pass account and using the regional electronic toll collection system with a ***working and properly mounted*** New Hampshire E-Z Pass transponder shall be 30 percent for passenger vehicles, including motorcycles, and 10 percent for commercial vehicles.

106 Statewide Transportation Improvement Program. Amend RSA 228:99 to read as follows:

228:99 Statewide Transportation Improvement Program (STIP). The governor shall develop a statewide transportation improvement program as required by 23 U.S.C. sections 134 and 135, as amended. The governor shall revise and update the program every 2 years. Adoption of the STIP and revised STIP shall be as follows:

I. Each metropolitan planning organization and rural regional planning commission shall reach agreement with the department of transportation relative to funding unified planning work programs consistent with 23 U.S.C. sections 134 and 135 no later than December 1 of each even-numbered year. Each metropolitan planning organization and rural regional planning commission shall provide a regional transportation improvement program (TIP) ***priorities*** to the department of transportation no later than April 1 of each odd-numbered year. Such plans shall include [~~a~~] public involvement [~~plan~~] and education [~~initiative~~] to ensure early and adequate input from residents, municipalities and any other interested parties in New Hampshire.

II. The commissioner shall submit the tentative STIP in accordance with the state planning process as required in 23 U.S.C. section 135 to the governor's advisory commission on intermodal transportation no later than [~~July~~] ***September*** 1 of each odd-numbered year.

III. The governor's advisory commission on intermodal transportation shall conduct at least one public hearing in each executive council district to present the tentative STIP to the public and to receive the public's comments and recommendations regarding the program. The governor's advisory commission on intermodal transportation shall submit such program along with the commission's recommendations to the governor no later than December 1 of each odd-numbered year. Each metropolitan planning organization and rural regional planning commission should conduct an informational meeting after the commission submits its recommendations to receive the public's final comments and recommendations regarding the proposed programs before adoption by the governor.

IV. The governor shall submit the STIP to the general court to be acted on no later than January 15 of each even-numbered year. [~~After an enactment~~] ***The STIP shall be enacted*** by the general court [~~of the STIP or~~] by June 1 of each even-numbered year[~~, whichever is earlier, each~~

~~metropolitan planning organization and rural regional planning commission should continue its public involvement program by conducting at least one informational meeting concerning the STIP~~].

V. Each metropolitan planning organization and the department of transportation shall continue its public involvement program by conducting public comment periods and public hearings as required by 23 U.S.C. sections 134 and 135, as amended for the regional TIP and statewide STIP.

VI. Each metropolitan planning organization shall approve the regional TIP and the department of transportation shall incorporate the TIPs into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

VII. Three times per year, the STIP and TIPs shall be amended to make adjustments to projects whose scopes, schedules or budgets need to be adjusted. The department of transportation will prepare and release STIP/TIP amendments to the metropolitan planning organizations and rural regional planning commissions.

VIII. The metropolitan planning organizations shall have 60 days from the receipt of each amendment to prepare, receive public comments, approve and transmit the updated TIPs to the department of transportation. The department of transportation shall incorporate the TIP amendments into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

107 Unclaimed and Abandoned Property; Subsequent Claims. Amend RSA 471-C:31-a to read as follows:

471-C:31-a Subsequent Claims. For periods after January 1, 1985, any owner who comes forward to make a claim for assets which have escheated to the state ***or counties*** may petition [~~the governor and council~~] for payment of those assets. Upon [~~providing~~] ***receiving*** sufficient proof of the validity of such owner claim [~~and receiving the approval of governor and council~~], the administrator shall pay such claim to the owner in accordance with the provisions of this chapter. ***In the event subsequent claims exceed amounts appropriated in the operating budget, the administrator shall request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.***

108 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2025.

109 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) The [~~department of environmental services and the~~] department of energy shall submit a report to the house science, technology, and energy committee, and the senate energy and

natural resources committee by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

110 Disclosure of Electric Service Energy Sources and Environmental Characteristics. Amend RSA 378:49, II(c) to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with billing, whether distributed through the mail or online, or other mailed or online communication to customers, as approved by the [~~commission~~] ***department***, including the [~~commission's~~] ***department's*** estimated cost on a per kilowatt-hour basis for compliance with the electric renewable portfolio standard under RSA 362-F for the prior compliance year. The estimated cost for the compliance year shall be calculated once per year and provided in the customer's December bill, whether distributed through the mail or online. Each customer's bill shall identify the cost as an estimate and provide a link to information about the electric renewable portfolio standard, including its benefits, at the [~~public utilities commission's~~] ***department's*** website. The costs for a utility to provide this information shall be recovered from electric customers through the distribution rates of the respective electric distribution utility.

111 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives ***and offshore wind initiatives, including the office of offshore wind industry development.*** Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

112 Information Collection. Amend RSA 362-F:8, I to read as follows:

I. [~~By July 1~~] ***No earlier than July 1 and no later than July 15*** of each year, each provider of electricity shall submit a report to the department of energy, in a form approved by the

department of energy, documenting its compliance with the requirements of this chapter for the prior year. The department of energy may investigate compliance and collect any information necessary to verify and audit the information provided to the department of energy by providers of electricity.

113 Phase-In for Existing Supply Contract Load. Amend RSA 362-F:14 to read as follows:

362-F:14 Phase-In for Existing Supply Contract Load. The increases in the annual purchase percentages in RSA 362-F:3 as compared to those in effect as of January 1, 2012 shall apply to the electrical load under any electrical power supply contracts for a term of years entered into by providers of electricity prior to or on July 1, 2012, upon the expiration of the term of any such contract. Providers of electricity shall inform the department of energy [~~by July 1~~] ***no earlier than July 1 and no later than July 15*** of each year of all such contracts and their terms, including but not limited to the execution date and expiration date of the contract and the annual volume of electrical energy supplied.

114 Duties of Commissioner; Department of Energy. Amend RSA 12-P:5, VI to read as follows:

VI. Collect and account for all fees, funds, taxes, or assessments levied upon any person subject to the jurisdiction of the department of energy and the public utilities commission. ***Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the department of energy, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the department of energy, may authorize an additional assessment pursuant to RSA 363-A for such purpose.***

115 Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(d) to read as follows:

(d) [~~Two~~] ***Three*** additional staff people appointed by the consumer advocate. When filling these positions, the consumer advocate should consider appointing rate analysts or economists.

116 New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the office of the consumer advocate, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the consumer advocate, may authorize an additional assessment pursuant to RSA 363-A for such purpose.

117 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these

classes into class 046 consultants and class 233 litigation provided that any such transfers shall be limited to $75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

118 Public Utilities; Assessment. Amend the introductory paragraph of RSA 363-A:2, I to read as follows:

I. The expenses thus ascertained shall be assessed against the public utilities and other entities described in this section in the manner provided in this chapter. The assessment shall be calculated by using the following revenue percentages, ***based on the prior calendar year***:

119 Public Utilities; Certification of Assessment. Amend RSA 363-A:3 to read as follows:

363-A:3 Certification of Assessment. It shall be the duty of the department of energy to calculate the amount to be assessed against each such public utility and each other entity subject to assessment in accordance with RSA 363-A:1 and RSA 363-A:2. At the beginning of each fiscal year, the department of energy shall estimate the total expenses for the fiscal year, and then, based on such estimate, shall calculate the amount to be assessed quarterly on [~~August 10, October 15, January 15~~] ***September 15, November 15, February 15***, and April 15 of that fiscal year[~~, against each such public utility and other assessed entity in accordance with RSA 363-A:1 and RSA 363-A:2~~]. ***For entities with assessments less than $10,000, the department may bill those entities the entire amount on September 15 of that fiscal year.*** The department of energy shall then make a list showing the amount [~~due on August 10, October 15, January 15~~] ***assessed September 15, November 15, February 15***, and April 15 of that fiscal year [~~from~~] ***to*** each of the several public utilities and other entities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility and other assessed entity, shall certify the same. After the close of each fiscal year, the department of energy shall ascertain the actual total expenses in accordance with RSA 363-A:1 and RSA 363-A:2, and then shall adjust the assessment for the first [~~quarterly~~] ***or only*** payment of the new fiscal year for each such public utility or other assessed entity for any underpayment or overpayment by each such public utility or other assessed entity for the prior fiscal year.

120 Expenses of Public Utilities Commission; Collections. Amend RSA 363-A:4 to read as follows:

363-A:4 Collection. Upon the completion of each such list, [~~on or before August 10, October 10, January 10, and April 10~~] ***within 10 business days of September 15, November 15, February 15, and April 15*** of each fiscal year, the department of energy shall bill each public utility and each other entity subject to assessment [~~for the quarterly amount assessed against it within 10 working days~~]. Such bill shall be sent [~~registered~~] ***first-class or electronic*** mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the department of energy [~~within 30 days after the receipt of the bill. After the expiration of 30 days from the receipt of an original bill,~~] ***by the due date stated on the bill, which shall be set no sooner than 30 days after the***

date the bill is sent. If payment is not made by the due date, the department of energy may add to the assessment a late penalty fee and may commence an action at law for the recovery of the assessment. Within 30 days of the ***date that the bill*** assessment for the first [~~quarterly~~] ***or only*** payment ***is sent***, each public utility or other assessed entity which has any objection to the amount assessed against it for the prior fiscal year shall file with the department its objection in writing, setting out in detail the grounds upon which it is claimed that said assessment is excessive, erroneous, unlawful, or invalid. If such objections are filed, the department, after reasonable notice to the objecting public utility or other assessed entity, shall hold a hearing on such objections, and if the department finds that said assessment or any part thereof is excessive, erroneous, unlawful, or invalid, the department shall reassess the amount to be paid by such public utility or other assessed entity, and shall order that an amended bill be sent to such public utility or other assessed entity in accordance with such reassessment. The department of energy shall not commence an action at law for recovery of any assessment for the first [~~quarterly~~] ***or only*** payment until any such objection has been resolved.

121 Expenses of Public Utilities Commission; Exemption from Assessment. Amend RSA 363-A:5 to read as follows:

363-A:5 Exemption From Assessment. Any public utility or other assessed entity that is not an entity to which RSA 363-A:2, I(c) or (d) applies, and that earned less than $10,000 in gross revenue during the preceding [~~fiscal~~] ***calendar*** year shall not be liable for any assessment pursuant to this chapter.

122 Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy Fund. There is hereby appropriated to the department of energy the sum of $250,000 for the fiscal year ending June 30, 2023 to be placed in a regional energy advocacy fund. This fund shall be nonlapsing and continually appropriated to the department to be expended to hire consultants and attorneys and related expenses to support the regional advocacy issues specified in RSA 374-F:8. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

123 Effective Date. Section 122 of this act shall take effect June 30, 2023.

124 Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel. Amend RSA 12-P:4 to read as follows:

12-P:4 Commissioner; Deputy Commissioner; Directors***; General Counsel***.

I. The commissioner of the department of energy shall be appointed by the governor, with the consent of the council, and shall serve for a term of 4 years. The commissioner shall be qualified to hold that position by reason of education and experience. Directors of departmental divisions ***and the general counsel*** shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to

establish any advisory committees and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

II. The commissioner of energy shall nominate a deputy commissioner of energy for appointment by the governor and council. The deputy commissioner shall hold office for 4 years and until a successor has been appointed and qualified. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as the commissioner may assign. The deputy commissioner shall perform the duties of the commissioner if for any reason the commissioner is unable to do so.

III. Division directors shall be appointed to initial terms as stated below, and then subsequently to terms of 4 years. Terms notwithstanding, each division director shall serve until a successor has been appointed and qualified.

III-a. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commission may authorize.

(a) The commissioner shall nominate for appointment by the governor and council a director of the division of policy and programs for an initial term of one year. All subsequent terms shall be 4 years. The director of the division of policy and programs shall be qualified to hold that position by reason of education and experience.

(b) The commissioner shall nominate for appointment by the governor and council a director of the division of administration for an initial term of 2 years. All subsequent terms shall be 4 years. The director of the division of administration shall be qualified to hold that position by reason of education and experience.

(c) The commissioner shall nominate for appointment by the governor and council a director of the division of enforcement for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of enforcement shall be qualified to hold that position by reason of education and experience.

(d) The commissioner shall nominate for appointment by the governor and council a director of the division of regulatory support for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of regulatory support shall be qualified to hold that position by reason of education and experience.

IV. The salaries of the commissioner, the deputy commissioner, and each division director shall be as specified in RSA 94:1-a.

125 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15 to read as follows:

260:15 Copies of Certificates and Motor Vehicle Records.

I. The department may issue a certified copy of any certificate of registration, or of any license to drive motor vehicles which may have been lost or mutilated, upon the written request of

the person entitled thereto and the payment of the prescribed fee, and such certified copy shall have the same force and effect as the original.

II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee [~~of $13 for email or other computer generated requests where payment is debited against an account established with the department, or $15~~] for all [~~other~~] requests, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

III. The commissioner of the department of safety shall adopt rules pursuant to RSA 541-A to establish fees and to implement this section.

126 New Paragraph; Motor Vehicles; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding any law to the contrary, the department may provide driver history records to a federal entity for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14, V.

127 Department of Safety; Appropriation; Position Created. There is hereby established in the department of safety, division of fire safety, one full-time classified program assistant II position. The sum of $72,000 for the fiscal year ending June 30, 2024 and $74,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the division of fire safety. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

128 Department of Safety; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

129 Department of Safety; Transfer Funds and Establish Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may create full-time temporary positions for any positions on military deployment and transfer funds from class 010 into class 059 with approval from the department of administrative services.

130 Department of Safety; Substance Abuse Enforcement Program; Appropriations.

I. The sum of $408,297 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety. This sum shall be expended as follows:

(a) $119,217 shall be expended for the purpose of funding overtime at the state forensic laboratory as a result of increased caseloads attributable to narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

(b) $289,080 shall be expended for the purpose of funding overtime at the state police for narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

II. The sum of $833,684 for the fiscal year ending June 30, 2024 and $833,684 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. No appropriation made in this section shall lapse until June 30, 2025.

131 Public Safety and Welfare; Definitions; Emergency Medical Care Provider. Amend RSA 153-A:2, V to read as follows:

V. "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols, or New Hampshire fish and game department conservation officers, ***or those individuals administering Naloxone*** unless said individuals are performing invasive patient care procedures.

132 Public Safety and Welfare; Licensure of Emergency Medical Care Providers. Amend RSA 153-A:11, I to read as follows:

I. Except for automated external defibrillation pursuant to RSA 153-A:28-31, ***or the administration of Naloxone,*** a person shall not provide emergency medical services as a paid or volunteer member of a public or private emergency medical services unit in this state, or as a paid or volunteer member of any police or fire department who, as a condition of employment, may be expected to routinely provide emergency medical services in the line of duty, without being licensed by the commissioner.

133 Public Safety and Welfare; Critical Incident Intervention and Management. Amend RSA 153-A:17-a, to read as follows:

153-A:17-a Critical Incident Intervention and Management.

I. In this section:

(a) "Critical incident" means an event or events that result in acute or cumulative psychological stress or trauma to an emergency service provider as a result of response to the incident.

(b) "Critical incident stress" means an unusually strong emotional, cognitive, or physical reaction that has the potential to interfere with normal functioning and that results from the response to a critical incident or long-term occupational exposure to a series of critical incident

responses over a period of time that are believed to be causing debilitating stress that is affecting an emergency service provider and his or her work performance or family situation. This may include, but is not limited to, physical and emotional illness, failure of usual coping mechanisms, loss of interest in the job, personality changes, or loss of ability to function.

(c) "Critical incident stress management" means a process of crisis intervention designed to assist emergency service providers in coping with the psychological trauma resulting from response to a critical incident.

(d) "Critical incident stress management and crisis intervention services" means consultation, counseling, debriefing, defusing, intervention services, management, prevention, and referral provided by a critical incident stress management team member.

(e) "Critical incident stress management team" or "team" means the group of one or more trained volunteers, including members of peer support groups organized by a unit of state, local, or county government, ***or employee organization*** who offer critical incident stress management, [~~and~~] crisis intervention, ***or peer support*** services following a critical incident or long term or continued, debilitating stress being experienced by emergency services providers and affecting them or their family situation.

(f)(1) "Critical incident stress management team member" or "team member" means an emergency services provider, including any law enforcement officer, sheriff or deputy sheriff, state police officer, civilian law enforcement employee, firefighter, civilian fire department employee, emergency medical personnel, telecommunicators, and local dispatchers specially trained to provide critical incident stress management and crisis intervention ***or peer support*** services as a member of an organized and registered team.

(2) I n this subparagraph:

(A) "Telecommunicator" means an employee of the department of safety, division of emergency services and communications who is responsible for receiving at the public safety answering point telephone calls made to E911 and transferring or relaying such calls to public or private safety agencies.

(B) "Local dispatcher" means a person who determines the location, status, and assistance required by callers and walk-in customers for public safety services and dispatches the appropriate police, fire, ambulance, or other units to provide needed emergency services at the state, city, town, or private emergency services level.

(g) "Peer support group" means the group of one or more trained volunteers, organized by a unit of state, local, county government or employee organization that can recognize common behavioral health issues, provide support services, and serve as a bridge to community resources or behavioral health treatment when indicated.

II.(a) Team members shall undergo and sustain certification standards set forth in guidelines established by the International Critical Incident Stress Foundation (ICISF) approved by

the commissioner of the department of safety, or a similar organization for which the commissioner shall not unreasonably withhold approval. The team shall be registered with ICISF, or a similar organization, and maintain training standards to date as required.

(b) All critical incident stress management team members ***or peer support group members***, sworn or civilian, shall be designated by the police chief, sheriff, director of the division of state police, fire chief, or director of the division of emergency services and communications, ***or head of an employee organization.***

III.(a) Any information divulged to the team, [~~or~~] a team member, ***or peer support group member,*** during the provision of critical incident stress management, [~~and~~] crisis intervention services, ***or peer support services*** shall be kept confidential and shall not be disclosed to a third party or in a criminal, civil, or administrative proceeding. Records kept by critical incident stress management team members ***or peer support group*** are not subject to subpoena, discovery, or introduction into evidence in a criminal, civil, or administrative action. Except as provided in subparagraph (c), no person, whether critical incident stress management team member, [~~or~~] team leader, ***or peer support group member*** providing or receiving critical incident stress management, [~~and~~] crisis intervention, ***or peer support*** services, shall be required to testify or divulge any information obtained solely through such crisis intervention.

(b) The purpose of this section is to provide a consistent framework for the operation of critical incident stress management teams, [~~and~~] ***peer support groups and*** their members. In any civil action against any individual, agency, or government entity, including the state of New Hampshire, arising out of the conduct of a member of such team, this section is not intended and shall not be admissible to establish negligence in any instance where requirements herein are higher than the standard of care that would otherwise have been applicable in such action under state law.

(c) A communication shall not be deemed confidential pursuant to this section if:

(1) The communication indicates the existence of a danger to the individual who receives critical incident stress management and crisis intervention services or to any other person or persons.

(2) The communication indicates the existence of past child abuse or neglect of the individual, abuse of an adult as defined by law, or family violence as defined by law.

(3) The communication indicates the existence of past or present acts constituting an intentional tort or crime, provided the applicable statute of limitation has not expired on the act indicated.

134 Department of Safety; Appropriation; State and Local Cybersecurity Grant Program. The sum of $1,255,500 for the fiscal year ending June 30, 2024 and the sum of $1,614,215 for the fiscal year ending June 30, 2025 are hereby appropriated to the commissioner of the department of safety for the state and local cybersecurity grant program. Such funds shall be nonlapsing and continually

appropriated to the commissioner of the department. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

135 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of $3,510,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 52 state police cruisers. This appropriation shall not lapse until June 30, 2025, provided that any unexpended amount following the purchases shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

136 Effective Date. Section 135 of this act shall take effect June 30, 2023.

137 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56-560040-3043, class line 652, for education freedom accounts, shall be reduced by $10,000,000 for the fiscal year ending June 30, 2024, and by $10,000,000 for the fiscal year ending June 30, 2025. The department shall report to the fiscal committees of the general court on such reductions.

138 Education Trust Fund. The introductory paragraph of RSA 198:39, I is repealed and reenacted to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than:

(a) To distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42.

(b) To distribute grants to municipalities' school districts and to approved chartered public schools pursuant to RSA 194-B:11.

(c) To distribute kindergarten grants to municipalities' and school districts pursuant to RSA 198:48-c.

(d) To provide low and moderate income homeowners property tax relief under RSA 198:56-198:61.

(e) To distribute funds to scholarship organizations approved under RSA 77-G, that administer and implement RSA 194-F.

(f) To distribute phase-out grants to school districts under RSA 194-F:10.

(g) To fund costs necessary to provide the statewide assessment program required under RSA 193-C.

(h) To fund department of education operating costs for a state student data collection and reporting system, within budgeted appropriations.

(i) To fund department of education costs for administering programs funded by the education trust fund, within budgeted appropriations, plus any additional funding authorized pursuant to paragraph III.

II. The state treasurer shall deposit into the education trust fund immediately upon receipt:

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

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

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

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

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

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

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

(h) Tobacco settlement funds in the amount of $40,000,000 or, for any year in which the total tobacco settlement funds received by the state is less than $40,000,000, the total amount of tobacco settlement funds received by the state.

(i) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4 which were apportioned to school districts in the property tax rate calculations in 1998.

(j) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.

(k) Any other moneys appropriated from the general fund.

III. If required expenditures to administer programs funded by the education trust fund, pursuant to paragraph I, exceed amounts appropriated, the commissioner of education may request the fiscal committee of the general court authorize additional funding. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

IV. The education trust fund shall be nonlapsing. The state treasurer shall invest that part of the fund which is not needed for immediate distribution in short-term interest-bearing investments. The income from these investments shall be returned to the fund.

139 New Paragraph; Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Episode of Treatment. Amend RSA 193:27 by inserting after paragraph VI the following new paragraph:

VII. "Episode of treatment" means when a child needs to be placed by the department of health and human services (DHHS) in a DHHS-contracted and/or certified program to receive more

intensive treatment and supports and has the objective of helping children in crisis avoid or reduce the use of psychiatric hospitals or emergency rooms.

140 Court Ordered Placements; Purpose and Application of Chapter. Amend RSA 169-F:1 to read as follows:

169-F:1 Purpose and Application of Chapter. This chapter shall apply to any court ordered placement ***or placement for an episode of treatment as defined in RSA 193:27, VII,*** of any minor pursuant to RSA 169-B or any child pursuant to RSA 169-C or RSA 169-D, for the purposes of the effective implementation of any such placement.

141 Special Education; State Aid. Amend RSA 186-C:18, III(a) to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements ***and episodes of treatment*** under RSA 186-C:19-b. The state may designate up to $250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional $250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

142 New Paragraph; Special Education; State Aid; Rulemaking by State Board of Education. Amend RSA 186-C:18,V by inserting after subparagraph (f) the following new subparagraph:

(g) Administering and distributing payment for episode of treatment costs as defined in RSA 193:27, VII.

143 Liability for Children with Disabilities in Certain Court Ordered Placements. Amend RSA 186-C:19-b to read as follows:

186-C:19-b Liability for Children With Disabilities in Certain Court Ordered Placements.

I.(a) As used in this section "children in placement for which the department of health and human services has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, 169-C, or 169-D, except children at the youth development center and children placed at the youth services center maintained by the department of health and human services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

(b) In the case of an out-of-district placement ***or placement for an episode of treatment***, the appropriate court shall notify the department of education on the date that the court order is signed, ***or the need for an episode of treatment is determined,*** stating the initial length of time for which such placement is made. This subparagraph shall apply to the original order ***or determination*** and all subsequent modifications of that order ***or determination.***

II. The school district liability for expenses for special education or for special education and related services for a child with a disability in placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.

(a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the department of education. Costs for which the department of education is liable under this section shall be paid to education service providers by the department of education. The department of education shall develop a mechanism for allocating the funds appropriated for the purposes of this section. ***Any costs of special education or special education and related services related to an episode of treatment and the determination of placement by the department of health and human services shall be covered in full for students with disabilities by the department of education.***

(b) The department of health and human services shall be liable for all court-ordered ***and episode of treatment*** costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.

(c) The department of education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall submit education service providers costs to the department within 30 days of receipt of such costs.

The department shall then verify the cost and distribute the appropriate amounts to the education service provider.

III. The department of education shall by rules adopted under RSA 541-A establish the rates charged by education service providers to the department of education or to school districts for children with disabilities in placement for which the department of health and human services has financial responsibility.

IV. The department of education is authorized to receive and take appropriate action on complaints regarding the failure to provide necessary special education or special education and related services to children with disabilities in placement for which the department of health and human services has financial responsibility.

V. [~~All appropriations made for the purposes of funding court-ordered placements shall be nonlapsing.~~] ***If the total amount required for court ordered placements or placements for an episode of treatment exceeds the amount appropriated to the department for such payments, the governor is authorized to draw a warrant from the general fund for such sum to satisfy the state's obligation under this section.***

144 Education; Funding for Renovation and Expansion; CTE. Amend RSA 188-E:10 to read as follows:

188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional career and technical education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the construction, renovation, expansion, or replacement of qualified regional career and technical education centers or regional career and technical education programs authorized in the [~~capital~~] budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state [~~capital project~~] authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a [~~capital~~] budget request a priority list of facilities and programs eligible for construction, renovation, expansion, or replacement provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the [~~capital~~] budget procedure [~~pursuant to RSA 9:3-a~~], provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for [~~capital~~] appropriation [~~under RSA 9:3-a~~] unless directed by the priority list of the department of education;

(d) Each school district requesting funds from the department of education establishes and funds a construction, renovation, expansion, and replacement reserve fund, which shall be used by the school district to pay construction, renovation, expansion, and replacement costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(4) Allows for matriculation into a postsecondary venue.

(5) Meets all industry and building standards.

(6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, career and technical education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the [~~capital~~] budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A.

145 Department of Education; Appropriation; CTE Renovation Projects. The department of education is appropriated $12,514,533 from the general fund for career and technical education renovation projects for the fiscal year ending June 30, 2024. Such funding shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Any unexpended funds after the completion of the project shall be returned to the general fund. Such funds shall be expended to renovate the Sugar River Valley Regional Technical Center in Newport.

146 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, [~~2015~~] ***2023***, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d.

II.(a) A cost of [~~$3,561.27~~] ***$4,000*** per pupil in the ADMR, plus differentiated aid as follows:

(b) An additional [~~$1,780.63~~] ***$2,100*** for each pupil in the ADMR who is eligible for a free or reduced price meal anytime during the determination year; plus

(c) An additional [~~$697.77~~] ***$1,000*** for each pupil in the ADMR who is an English language learner anytime during the determination year; plus

(d) An additional [~~$1,915.86~~] ***$2,100*** for each pupil in the ADMR who is receiving special education services anytime during the determination year[~~; plus~~

~~(e) An additional $697.77 for each third grade pupil in the ADMR with a score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6 or the authorized, locally administered assessment as provided in RSA 193-C:3, IV(i), provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d). A school district receiving aid under this subparagraph shall annually provide to the department of education documentation demonstrating that the district has implemented an instructional program to improve non-proficient pupil reading~~].

III. The sum total calculated under paragraph II shall be the cost of an adequate education. The department shall determine the cost of an adequate education for each municipality based on the ADMR of pupils who reside in that municipality.

147 Annual Adjustment; Relief Funding. RSA 198:40-d and RSA 198:40-e are repealed and reenacted to read as follows:

198:40-d Annual Adjustment. Beginning July 1, 2024 and every year thereafter, the department of education shall adjust the following with an increase of 2 percent annually:

I. Per pupil costs in RSA 198:40-a, II;

II. Relief funding "factor" and "max grant" as defined in RSA 198:40-e, II, (a)-(b);

III. Extraordinary need grant "grant floor", "grant ceiling", "factor", and "max grant" as defined in RSA 198:40-f, II, (a)-(d);

IV. Fiscal capacity disparity aid "grant floor", "grant ceiling", "factor", and "max grant" as defined in RSA 198:40-g, II, (a)-(d); and

V. Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

198:40-e Relief Funding.

I. In addition to the cost of an opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate relief funding for schools and provide that amount of aid to a municipality's school districts as follows:

(a) In a school district in which 48 percent or more of the ADMR is eligible to receive a free or reduced-priced meal, an additional $400 for each pupil in the ADMR who is eligible for a free or reduced-priced meal.

(b) In a school district in which at least 12 percent but less than 48 percent of the ADMR is eligible to receive a free or reduced-priced meal, an amount equal to $0.1111 for each 0.01 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMR who is eligible for a free or reduced-priced meal.

(c) A school district in which less than 12 percent of the ADMR is eligible to receive a free or reduced-priced meal shall receive no additional aid under this section.

II. In this section:

(a) The $0.1111 for each 0.01 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMR who is eligible for a free or reduced-priced meal, referenced in RSA 198:40-e, I(b), shall be called the "factor."

(b) The $400 for each pupil in the ADMR who is eligible for a free or reduced-priced meal referenced in RSA 198:40-e, I(a), shall be called the "max grant."

III. Relief funding shall be distributed pursuant to RSA 198:42.

148 Extraordinary Need Grants. Amend RSA 198:40-f to read as follows:

198:40-f Extraordinary Need Grants.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of $1,000,000 or less shall receive [~~$650~~] ***$3,000*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between $1,000,001 and $5,999,999 shall receive a grant equal to [~~$0.00013~~] ***$0.00060*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and $6,000,000, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of $6,000,000 or more shall not receive an extraordinary need grant.

[~~II. In order to receive an extraordinary need grant, the eligible school district shall provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. The extraordinary need grant plan shall include an accountability component designed to generate data that measures student academic achievement and growth of knowledge and skills in reading and language arts and/or mathematics at what grade levels funds will be used. The school district shall develop and~~

~~administer its own grant accountability assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning, or use the statewide assessment. The school district shall submit to the department an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets. The primary goal of this grant is to improve student achievement and growth and to help the school district to have funding for successful, best practice student learning approaches.~~]

II. In this section:

(a) The $1,000,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The $6,000,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The $0.00060 for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The $3,000 per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

III. Extraordinary need grants shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation per pupil eligible to receive a free or reduced-price meal" means a municipality's equalized valuation[~~, excluding properties subject to taxation under RSA 82 and equalized payments in lieu of taxes,~~] as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMR in the determination year eligible to receive a free or reduced-price meal.

149 New Section; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-f the following new section:

198:40-g Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate fiscal capacity disparity aid for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per ADMR of $600,000 or less shall receive $1,000 per pupil in the municipality's ADMR.

(b) A municipality with an equalized valuation per ADMR greater than $600,000 but less than $1,600,000 shall receive 0.0010 cents for each dollar of difference between its equalized valuation per ADMR and $1,600,000, per pupil in the municipality's ADMR.

(c) A municipality with an equalized valuation per ADMR of $1,600,000 or more shall receive no fiscal capacity disparity aid.

II. In this section:

(a) The $600,000 in equalized valuation per ADMR referenced in RSA 198:40-g, I(a), shall be called the "grant floor."

(b) The $1,600,000 in equalized valuation per ADMR referenced in RSA 198:40-g, I(b)-(c), shall be called the "grant ceiling."

(c) The 0.0010 cents for each dollar difference between equalized valuation per ADMR in RSA 198:40-g, I(b) shall be called the "factor."

(d) The $1,000 per pupil referenced in RSA 198:40-g, I(a) shall be called the "max grant."

III. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation" means a municipality's equalized valuation, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year.

150 Determination of Education Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of Education Grants.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; and

(c) [Repealed.]

(d) Add the municipality's additional aid for relief funding pursuant to RSA 198:40-e.

(e) Add the municipality's extraordinary need grant pursuant to RSA 198:40-f.

(f) Add the municipality's fiscal capacity disparity aid pursuant to RSA 198:40-g.

II. ~~[For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for each municipality as the lesser of the 2 following calculations:~~

~~(a) The amount calculated in accordance with paragraph I of this section; or~~

~~(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year.~~

~~III.(a) For the biennium ending June 30, 2013, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant in the second year of the previous biennium.~~

~~(b) [Repealed.]~~

~~IV.(a)~~] For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.

[~~(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.~~

~~(c) For fiscal year 2014 through fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.~~

~~(d)~~] ***III.*** For fiscal year 2024 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus [~~a percentage~~] ***85 percent*** of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality[~~; the percentage shall be 96 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter.~~] No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMR is zero.

IV. For fiscal year 2024 and fiscal year 2025, the department of education shall distribute a hold harmless grant equal to 100 percent of the decrease when comparing the eligible grant award in each year to the fiscal year 2024 preliminary estimate as of November 15, 2022. No municipality with a current adequacy grant amount that exceeds the fiscal year 2024 preliminary estimate shall receive a hold harmless grant.

V. The department shall use the best available data and methods to estimate ADMR and education grants by November 15 of the year preceding the school year for which aid is determined.

VI. The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The commissioner of the

department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

VII. When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

VIII. Reports of grant determinations for municipalities required pursuant to paragraphs V-VII shall be available to the public by the date specified in paragraphs V-VII, and the department shall make available a report for multi-town school districts and municipalities with multiple school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

151 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1)(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of [~~$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and $3,411 to all chartered public schools for the fiscal year ending June 30, 2019~~] ***$5,000 to all chartered public schools for the fiscal year ending June 30, 2024*** and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in the chartered public school's ADMA. Beginning July 1, [~~2017~~] ***2024*** and every [~~biennium~~] ***fiscal year*** thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor~~] ***pursuant to RSA 198:40-d***. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e), plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the chartered public school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition amounts pursuant to RSA 198:40-a, II(a) plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate~~

~~index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed~~] ***pursuant to RSA 198:40-d.***

152 Repeal; Third Grade Reading Accountability. RSA 193-C:3, IV(i), relative to grade 3 statewide education improvement and assessment program data, is repealed.

153 State Maintenance of Equity; Biennium Ending June 30, 2023. Amend 2001, 91:58, III to read as follows:

III. Any state aid distributed under this section shall be an education grant in addition to the state grant calculated under RSA 198:41 ***and RSA 194-B:11*** and shall be distributed to school districts ***and chartered public schools*** accordingly. Depending on how the United States Department of Education allows states to define "pupil" as it relates to determining state aid per pupil under Section 2004(b) of the American Rescue Plan Act of 2021, the department of education may experience delays in accurately collecting pupil data to meet the definition as defined by the United States Department of Education, thereby delaying the calculation of the grant award. If such delay occurs, the department of education may issue the grants described in this section up to 120 days after the end of the applicable fiscal year being assessed for compliance with federal law.

154 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a, II-a(c) to read as follows:

(c) The appropriations budgeted in class 027-transfers to DoIT, class 028-transfers to general services, ***class 040-indirect costs,*** class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, [~~and~~] class 064-retiree pension benefit-health insurance, ***class 210-bond insurance, and class 211-property and casualty insurance,*** shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO.

155 New Paragraph; Budget and Appropriations. Amend RSA 9:16-a, II-a by inserting after subparagraph (d) the following new subparagraph:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, class-210 bond insurance, and class-211 property casualty insurance.

156 Medical and Surgical Benefits. Amend RSA 21-I:30, XV to read as follows:

XV. Funds appropriated for the purposes of this section shall not be transferred or used for any other purpose ***and shall be nonlapsing***.

157 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:

99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the [~~director of personnel~~] ***commissioner of the department of administrative services,*** subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are [~~deemed necessary to comply with RSA 98~~] ***necessary to pay any legally authorized salaries for employees in the classified system, followed by an annual informational report to the governor and council after fiscal year end.***

158 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, [~~subject to the approval of governor and council,~~] the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit, ***followed by an annual informational report to the governor and council after fiscal year end.*** Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section.

159 Department of Administrative Services; State Budget Office. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

21-I:6 Budget Office. There is hereby established within the office of the commissioner of administrative services a state budget office under the supervision of an unclassified budget [~~director~~] ***officer*** who shall:

160 Department of Administrative Services; Planning and Design Costs. Amend RSA 21-I:85 to read as follows:

21-I:85 Planning and Design Costs. [~~The division of public works design and construction shall not perform any design and planning work for any non-general fund state agency unless the division~~

~~is reimbursed for such work by the agency.~~] ***The department of administrative services shall bill state agencies for any design, planning, project management, and/or inspection work for all capital construction projects administered through the department, and for any operating projects that are funded in full or in part with federal funds, agency income, or funding sources other than general funds.***

161 Appropriation; Department of Administrative Services; Technology Upgrades. There is hereby appropriated to the department of administrative services the sum of $7,800,000 for the fiscal year ending June 30, 2023, for the purpose of technology upgrades to ensure the sustainability of the state's financial, payroll and budgeting system. The sum appropriated shall be nonlapsing, provided that any unexpended amount following completion of the project shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

162 Effective Date. Section 161 of this act shall take effect June 30, 2023.

163 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph III the following new paragraph:

III-a. The commission shall elect a chairperson, vice-chairperson, and a recorder.

164 State Commission on Aging. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms***, with the exception of the chairperson, vice-chairperson, and recorder, who may service an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated.*** Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. [~~Thirteen~~] ***A majority of the*** members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

165 State Commission on Aging. Amend RSA 19-P:1, V to read as follows:

V. The commission shall be authorized to select and hire select an executive director by a vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. [~~The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated.~~] The commission shall hold no fewer than 9 regular meetings per year.

166 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph V the following new paragraph:

VI. The commission on aging shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

167 New Paragraph; Duties of the State Commission on Aging. Amend RSA 19-P:2 by inserting after paragraph XIV the following new paragraph:

XV. Accepting and utilizing for its purposes, functions, and duties as set forth in this chapter public and private grants, gifts, donations, and contributions of money and other assets and properties, real and personal, of all types and kinds, without limitations.

168 Corrections Officers' Salaries.

I. Effective July 14, 2023, part-time corrections officers and corrections officer corporals shall be compensated in accordance with the salary schedule applicable to full-time corrections officers and corrections officer corporals.

II. Effective July 14, 2023, corrections officer majors shall be compensated in accordance with the salary schedule applicable to corrections officer lieutenants, sergeants, and captains.

169 Parking; Concord. The department of administrative services is authorized to spend such funding as appropriated for additional parking for full-time and part-time employees who are assigned to the downtown Concord area and who are not provided a state-provided parking space for their personal vehicle.

170 Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	62,406	66,467	70,557	74,618	78,679	82,740	86,830
BB	64,894	69,127	73,359	77,592	81,825	86,058	90,291
CC	67,897	72,330	76,763	81,196	85,629	90,062	94,495
DD	71,500	76,162	80,824	85,514	90,176	94,838	99,500
EE	75,705	80,652	85,629	90,577	95,524	100,472	105,449
FF	80,938	86,258	91,549	96,869	102,160	107,451	112,770
GG	87,373	93,093	98,842	104,562	110,282	116,031	121,751
HH	95,153	101,387	107,622	113,886	120,120	126,384	132,619
II	100,587	107,193	113,800	120,406	127,042	133,648	140,255
JJ	106,049	112,999	119,977	126,956	133,934	140,913	147,891
KK	108,738	115,888	123,066	130,216	137,366	144,516	151,666
LL	0	0	0	0	0	0	156,500
MM	0	0	0	0	0	0	161,791
NN	0	0	0	0	0	0	167,997

OO	0	0	0	0	0	0	175,233
PP	0	0	0	0	0	0	183,927
QQ	0	0	0	0	0	0	194,366

171 Salary Wages for Councilors and Commissioners; July 14, 2023. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 14, 2023:

	Maximum
Governor's councilors	$19,734
Racing and charitable gaming commissioners	$15,301
Sweepstakes commission, chairman	$22,251
Sweepstakes commission, members	$12,527

172 Compensation for Certain State Officers; Unclassified State Employees; July 12, 2024. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	63,655	67,797	71,969	76,111	80,253	84,395	88,567
BB	66,192	70,510	74,827	79,144	83,462	87,780	92,097
CC	69,255	73,777	78,299	82,820	87,342	91,864	96,385
DD	72,930	77,686	82,441	87,225	91,980	96,735	101,490
EE	77,220	82,266	87,342	92,389	97,435	102,482	107,558
FF	82,557	87,984	93,380	98,807	104,204	109,601	115,026
GG	89,121	94,955	100,819	106,654	112,488	118,352	124,187
HH	97,057	103,415	109,775	116,164	122,523	128,912	135,272
II	102,599	109,337	116,076	122,815	129,583	136,321	143,061
JJ	108,170	115,259	122,377	129,496	136,613	143,732	150,849
KK	110,913	118,206	125,528	132,821	140,114	147,407	154,700
LL	0	0	0	0	0	0	159,630
MM	0	0	0	0	0	0	165,027
NN	0	0	0	0	0	0	171,357
OO	0	0	0	0	0	0	178,738
PP	0	0	0	0	0	0	187,606
QQ	0	0	0	0	0	0	198,254

173 Salary Wages for Councilors and Commissioners; July 12, 2024. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 12, 2024:

	Maximum
Governor's councilors	$20,129
Racing and charitable gaming commissioners	$15,608
Sweepstakes commission, chairman	$22,697
Sweepstakes commission, members	$12,778

174 Department of Justice; Attorney Salaries; July 14, 2023. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on July 14, 2023:

	Minimum	Market anchor	Maximum
	$60,778		$140,802
Attorney		$73,264	
Assistant attorney general		$99,796	
Senior assistant attorney general		$123,208	
Associate attorney general		$135,695	

175 Legislative Employees; July 14, 2023. Legislative employees shall receive 10 percent salary increases effective July 14, 2023, if such increases are approved by the appointing authority.

176 Legislative Employees; July 12, 2024. Legislative employees shall receive 2 percent salary increases effective July 12, 2024 if such increases are approved by the appointing authority.

177 Judicial Salaries; July 14, 2023. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$204,076
Associate justices, supreme court	$197,937
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$197,937
Associate justices, superior court	$185,638
District court justices prohibited from practice pursuant to RSA 502-A:21	$185,638
Probate judges prohibited from practice pursuant to RSA 547:2-a	$185,368

178 Judicial Salaries; July 12, 2024. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$208,157
Associate justices, supreme court	$201,895
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$201,895
Associate justices, superior court	$189,350

District court justices prohibited from practice	
pursuant to RSA 502-A:21	$189,350
Probate judges prohibited from practice	
pursuant to RSA 547:2-a	$189,350

179 Judicial Employees; July 14, 2023. All unrepresented judicial employees shall receive 10 percent salary increases effective July 14, 2023.

180 Judicial Employees; July 12, 2024. All unrepresented judicial employees shall receive 2 percent salary increases effective July 12, 2024.

181 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 10 percent salary increases effective July 14, 2023.

182 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 2 percent salary increases effective July 12, 2024.

183 Appropriations.

I. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2024:

FY 2024

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$101,554,000	$44,900,000	$3,394,000	$16,702,000	$9,262,000	$1,826,000	$875,000	$24,595,000

II. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2025:

FY 2025

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$123,896,000	$54,778,000	$4,140,000	$20,377,000	$11,300,000	$2,228,000	$1,067,000	$30,006,000

III. The department of administrative services is authorized to make any rounding adjustments of up to +$.01 per hour as needed to properly process the employee's payroll within the currently designed human resources/payroll system (NH FIRST).

IV. The governor is authorized to draw a warrant to the general fund portion of said sums out of any money in the treasury not otherwise appropriated.

184 Effective Date.

I. Sections 170, 171, 174, and 177 of this act shall take effect July 14, 2023.

II. Sections 172, 173, and 178 of this act shall take effect July 12, 2024.

185 Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read as follows:

77-A:20-a Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts~~] ***22.5 percent*** of ***the*** revenue

produced by [~~an increase of 1.5 percent in the rate of~~] ***the*** tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional~~] revenues that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

186 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to read as follows:

77-E:14 Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***22.5 percent of the*** revenue produced by [~~an increase of .50 percent in the rate of~~] ***the*** tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional~~] revenues that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

187 Department of Health and Human Services, Division of Public Health Services, Choose Love Program. There is hereby appropriated to department of health and human services, division of public health services the sums of $250,000 for the fiscal year ending June 30, 2024, and $250,000 for the fiscal year ending June 30, 2025, for the purpose of operating the choose love program and funding 2 classified positions as determined by the director of public health services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

188 New Paragraph; Department of Health and Human Services; Authorization to Fill Unfunded Positions. Amend RSA 126-A:4 by inserting after paragraph VI the following new paragraph:

VII. The department of health and human services shall have the authority to fill unfunded positions, provided that the total expenditure for such positions shall not exceed the amount appropriated to the department for personal services.

189 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2025.

190 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver

pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2025.

191 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2025, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis, provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.

192 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as amended by 2019, 346:61, I, as amended by 2021, 91:404 to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2023~~] ***2025.***

193 Graduate Medical Education Payments Suspended. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2025. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2025.

194 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2025.

195 Medicaid to Schools Program; Fiscal Committee Approval of Supplemental Funding. For the biennium ending June 30, 2025, in the event funds appropriated in accounting unit 05-95-47-0010-7207 Medicaid to schools, are insufficient, the department of health and human services may accept and expend additional federal funds with the prior approval of the fiscal committee of the general court. Any request to the fiscal committee shall include a detailed explanation of the types of assistance the department is providing to school districts to ensure eligibility for reimbursement under the Medicaid to schools program.

196 Department of Health and Human Services; Division of Medicaid Services. Any funds appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending June 30, 2023 shall not lapse until June 30, 2025, and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The department of health and human services is authorized to accept and expend any matching federal

funds for the purposes of this section without prior approval of the fiscal committee of the general court.

197 Department of Health and Human Services; Preventative Health Care Benefits; Medicaid Program. The commissioner of the department of health and human services shall, if necessary, submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and provide preventative health care benefits under the state Medicaid program, including but not limited to nicotine cessation, transitional care management, chronic care management, diabetes prevention program, and screening, brief intervention, and referral to treatment (SBIRT) services. In addition, the commissioner may adopt rules under RSA 541-A, relative to the preventative health care benefits described in this section.

198 Department of Health and Human Services; Transfer Between Certain Classes. Notwithstanding any other provision of law, the department of health and human services is hereby authorized to transfer funds between classes 072, 074, 102, and 103, and create new class lines for classes 072, 074, 102, and 103, in order to comply with federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

199 Health Facility Licensing; Inspection. Amend RSA RSA 151:6, II to read as follows:

II. The department of health and human services may require by rule that any licensee or prospective applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the [~~department of health and human services~~] ***department of safety, division of fire safety*** for preliminary inspection and approval or recommendations.

200 Health Care Facility Workplace Violence Prevention Program and Commission; Suspension of State Participation for Biennium. The following aspects of state agency participation in the health care facility workplace violence prevention program, established in RSA 151:53, and the New Hampshire health care workplace safety commission, established in RSA 151-J, are hereby suspended for the biennium ending June 30, 2025:

I. RSA 151:53, IV, relative to incident reporting by the department of health and human services.

II. RSA 151:53, VII, relative to website database design and implementation.

III. RSA 151-J:1, II(a)(2), (4),(5), and (6), relative to participation of the chief executive officer of New Hampshire hospital, the commissioner of the department of health and human services, the commissioner of the department of labor, and the attorney general on the New Hampshire health care workplace safety commission; provided that nothing in this section shall prevent voluntary participation of such individuals or their designees.

201 Residential Care and Health Facility Licensing; Workplace Violence Prevention Program. Amend RSA 151:53, V to read as follows:

V. Each health facility shall prepare and submit to the health care workplace safety commission established in RSA 151-J an annual report containing all workplace violence and hostile words incidents reported to the health facility directed at an employee by a patient, coworker, supervisor, manager, or other individuals who have a personal relationship with a patient. The chair of the health and human services oversight committee, established in RSA 126-A:13, with the advice of the health care workplace safety commission, may recommend updates to New Hampshire statutes or recommend updates to the rules adopted for the implementation of this section. The commissioner of health and human services, in consultation with the health care workplace safety commission and the health and human services oversight committee, [~~shall~~] ***may*** adopt rules pursuant to RSA 541-A deemed necessary for the implementation of this section in coordination with the department of health and human services, including a common reporting form.

202 New Hampshire Health Care Workplace Safety Commission; Administration. Amend RSA 151-J:6 to read as follows:

151-J:6 Administration. The commission may [~~delegate to~~] ***request that*** the department of health and human services ***assume*** the functions of collecting, analyzing, and disseminating workplace violence information, organizing and convening meetings of the commission, and other substantive and administrative tasks as may be incident to these activities or directed by the commission. The activities of the department of health and human services and its employees or agents shall be subject to the same confidentiality provisions and data privacy as those that apply to the commission.

203 New Hampshire Health Care Workplace Safety Commission; Rulemaking. Amend RSA 151-J:8 to read as follows:

151-J:8 Rulemaking. The commissioner of the department of health and human services, with the advice of members of the commission, [~~shall~~] ***may*** adopt rules pursuant to RSA 541-A, to assure de-identification of all individuals and facilities involved in the incidents received.

204 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV, as amended by 2019, 346:64 and 2021, 91:27 to read as follows:

IV. Section 10 of this act shall take effect June 30, [~~2023~~] ***2025***.

205 Effective Date. Section 204 of this act shall take effect June 30, 2023.

206 Department of Health and Human Services; Unclassified Positions Established.

I. The following unclassified positions are established in the department of health and human services:

(a) Medicaid pharmacy director.

(b) Pharmaceutical service specialist.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner: #30278; #12433 .

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

207 Department of Health and Human Services; Unclassified Positions Established; Appropriation.

I. The following unclassified positions are established in the department of health and human services:

(a) Twenty four staff attorney positions.

(b) Five supervisory staff attorney positions.

(c) Three supervising attorney positions.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner:

(a) Attorney II:

#11677	#15803	#16212	#16248	#19145
#40083	#40084	#40085	#40086	#40087
#40088	#40089	#40090	#40091	#40092
#40093	#40095	#40096	#40396	#43485
#44216	#44217	#44355	#44380	#44539
#44560	#44561	#TMPPT5726	#TMPPT5779	

(b) Attorney III:

#15402	#19766	#44562

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the newly established unclassified positions.

V. There is hereby appropriated to the department of health and human services the sums of $141,000 for the fiscal year ending June 30, 2024, and $140,000 for the fiscal year ending June 30, 2025, for the purpose of compensating the newly established unclassified positions in this section. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

208 Department of Health and Human Services; Developmental Services, Acquired Brain Disorder Services, and In-home Support Waiver. Pursuant to RSA 171-A:8-b, the department of health and human services shall be authorized to carry forward funds from state fiscal year 2023 in the developmental services fund, acquired brain disorder services fund, and in-home support waiver fund for the purpose of carrying out the provisions of RSA 171-A for the biennium ending June 30, 2025. Funds unexpended from the following accounts in the biennium ending June 30, 2023 shall be carried forward and treated as restricted revenue for the purpose of funding expenditures from those accounts in the biennium ending June 30, 2025: 05-95-93-930010-7100, Developmental Services; 05-95-93-930010-7016, Acquired Brain Disorder Services; and 05-95-93-930010-7110, Children's In-Home Support Services.

209 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2022-2023~~] ***2024-2025***:

(1) State fiscal year [~~2022~~] ***2024***, [~~$129,362,411~~] ***$131,849,659***

(2) State fiscal year [~~2023~~] ***2025***, [~~$131,849,659~~] ***$131,849,659***;

210 Appropriation; Department of Health and Human Services; Choices for Independence. The sums of $4,750,000 in the fiscal year 2024 and $10,350,000 in the fiscal year 2025 are hereby appropriated to the department of health and human services for the purpose of funding Choices for Independence, a Medicaid-funded program that provides a wide range of service choices that enable eligible adults to stay in their own homes and communities. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

211 Appropriation; Department of Health and Human Services; Medicaid Management Information System. Of funds appropriated to the department of health and human services for the biennium ending June 30, 2023, the sum of $20,531,625 shall not lapse until June 30, 2025 and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-8009, Medicaid management information system.

212 Effective Date. Section 211 of this act shall take effect June 30, 2023.

213 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services the sum of $16,358,878 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of funding the elevated enrollment unwinding related to the end of continuous enrollment in accordance with the Centers for Medicare and Medicaid Services guidance. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

214 Effective Date. Section 213 of this act shall take effect June 30, 2023.

215 Appropriation; Department of Health and Human Services; Moving One District Office. There is hereby appropriated the sum of $533,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of moving one district office. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

216 Effective Date. Section 215 of this act shall take effect June 30, 2023.

217 Appropriation; Department of Health and Human Services; Vehicles and Equipment at New Hampshire Hospital. There is hereby appropriated the sum of $200,000 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing vehicles and clinical equipment at New Hampshire hospital. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

218 Effective Date. Section 217 of this act shall take effect June 30, 2023.

219 Appropriation; Department of Health and Human Services; IT Consultants; Analysis. The sum of $1,500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to manage projects and perform analysis to support IT building automated solutions to streamline business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

220 Effective Date. Section 219 of this act shall take effect June 30, 2023.

221 Appropriation; Department of Health and Human Services; IT Consultants; Automated Solutions. The sum of $1,950,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to develop and implement automated solutions to streamline business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

222 Effective Date. Section 221 of this act shall take effect June 30, 2023.

223 Appropriation; Department of Health and Human Services; Food Stamp Eligibility. There is hereby appropriated the sum of $125,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services, for the purpose of replacing a legacy database used for pulling quality samples for food stamp eligibility reviews. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

224 Effective Date. Section 223 of this act shall take effect June 30, 2023.

225 Appropriation; Department of Health and Human Services; DHHS Offices. There is hereby appropriated the sum of $410,100 to the department of health and human services for the fiscal year

ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing aging switches, routers, and wireless access point at DHHS offices. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

226 Effective Date. Section 225 of this act shall take effect June 30, 2023.

227 Appropriation; Department of Health and Human Services; Temporary Assistance For Needy Families; Maintenance of Effort. There is hereby appropriated to the department of health and human services the sums of $2,500,000 for the fiscal year ending June 30, 2024, and $2,500,000 for the fiscal year ending June 30, 2025, to ensure maintenance of effort funding is sufficient to meet the federal temporary assistance for needy families maintenance of effort levels. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

228 Appropriation; Department of Health and Human Services; Nutrition and Transportation Services. There is hereby appropriated to the department of health and human services the sums of $3,404,991 for the fiscal year ending June 30, 2024, and $3,404,991 for the fiscal year ending June 30, 2025, for the purpose of funding Title XX service rates for nutrition and transportation service rates. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

229 Appropriation; Department of Health and Human Services; Foster Care Rates. There is hereby appropriated to the department of health and human services the sums of $870,481 for the fiscal year ending June 30, 2024, and $957,529 for the fiscal year ending June 30, 2025, for the purpose of increasing foster care rates. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

230 Appropriation; Department of Health and Human Services; Medicaid Provider Rate Increases. There is hereby appropriated to the department of health and human services the sums of $12,000,000 for the fiscal year ending June 30, 2024, and $12,000,000 for the fiscal year ending June 30, 2025, for the purpose of increasing Medicaid provider rates, excluding rates for hospital inpatient and hospital outpatient services. The department shall utilize such funds to increase rates pursuant to section 1902 (a)(30)(A) of the Social Security Act, to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department may accept and expend any federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

231 Appropriation; Department of Health and Human Services; Targeted Medicaid Rate Increases. In addition to any other sums appropriated, there is hereby appropriated to the

department of health and human services the following amounts for the purpose of increasing rates paid to service providers. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said rate increases shall go into effect no later than January 1, 2024. If feasible, the department shall implement any of the rate increases prior to that date, with priority given to those the commissioner has deemed most critical. For all appropriations below, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. For each appropriation, the department shall report to the fiscal committee of the general court, by October 1, 2023, the accounting units in the state operating budget to which funds will be or have been allocated, along with the rate increases that will be provided from the funds appropriated:

I. $4,677,979 in the fiscal year ending June 30, 2024 and $9,355,958 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to nursing homes.

II. $2,154,309 in the fiscal year ending June 30, 2024 and $4,308,618 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for all Choices for Independence providers not provided rate increases elsewhere in this section.

III. $708,678 in the fiscal year ending June 30, 2024 and $1,417,355 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to assisted living facilities.

IV. $483,000 in the fiscal year ending June 30, 2024 and $966,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to home health aides.

V. $70,691 in the fiscal year ending June 30, 2024 and $141,382 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for home delivered meals paid to Meals on Wheels providers.

VI. $736,954 in the fiscal year ending June 30, 2024 and $1,473,908 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for private duty nursing providers.

VII. $169,658 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid for section 1915(c) waiver case management services.

VIII. $3,969,301 in the fiscal year ending June 30, 2024 and $7,938,602 in the fiscal year ending June 30, 2025 for the purpose of increasing rates and/or wages paid to providers of community mental health services.

IX. $623,848 in the fiscal year ending June 30, 2024 and $1,247,697 in the fiscal year ending June 30, 2025 for the purpose of increasing housing reimbursement rates for those receiving community mental health services.

X. $3,000,000 in the fiscal year ending June 30, 2024 and $6,000,000 in the fiscal year ending June 30, 2025 for the purpose of rebasing rates for community health centers to ensure that Medicaid rates are sufficient to cover the cost of service provision.

XI. $1,133,707 in the fiscal year ending June 30, 2024 and $2,267,415 in the fiscal year ending June 30, 2025 for the purpose of bringing Medicaid rates for community health centers up to the levels of Medicare reimbursement.

XII. $8,221,367 in the fiscal year ending June 30, 2024 and $16,442,733 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of early supports and services, developmental services, acquired brain disorder services, and children's in-home support services.

XIII. $1,374,940 in the fiscal year ending June 30, 2024 and $2,749,881 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population.

XIV. $113,106 in the fiscal year ending June 30, 2024 and $226,211 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to residential treatment providers serving those experiencing substance use disorders.

XV. $169,858 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of medication assisted treatment for those experiencing substance use disorders.

XVI. $255,371 in the fiscal year ending June 30, 2024 and $510,743 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of outpatient services for those experiencing substance use disorders.

XVII. $50,000 in the fiscal year ending June 30, 2024 and $100,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to midwives providing Medicaid births in nonhospital environments.

XVIII. $125,000 in the fiscal year ending June 30, 2024 and $250,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to birthing centers.

XIX. $1,944,003 in the fiscal year ending June 30, 2024 and $3,888,007 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid for providers of ambulance/EMT services. Notwithstanding any other provisions, the rates for the following ambulance codes shall be as follows:

Ambulance Codes	Rate
A0425	13.00
A0427	700
A0428	325
A0429	450

If the department determines that the appropriations contained in this paragraph are insufficient to set rates at the specified levels, it may delay implementation until such time as the rate increases can be provided.

XX. $1,500,000 in the fiscal year ending June 30, 2024 and $3,000,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant services.

XXI. $15,740,786 in fiscal year 2024 for the purpose of increasing any of the rates in this section prior to January 1, 2024, if feasible, where the department has given priority to those increases the commissioner has deemed most critical.

232 Department of Health and Human Services; Adult Medical Day Services. The department of health and human services shall reimburse all adult medical day services at the same payment rate irrespective of whether the service is covered under the Choices for Independence waiver or the Medicaid state plan.

233 Repeals; Department of Business and Economic Affairs. The following are hereby repealed:

I. RSA 12-O:46 through 12-O:50, relative to the New Hampshire college graduate retention incentive partnership (NH GRIP).

II. RSA 12-O:64, relative to the COVID-19 micro enterprise relief fund.

III. RSA 6:12,I(b)(365), relative to the COVID-19 micro enterprise relief fund.

IV. RSA 12-O:19, relative to the package plan program.

234 Department of Business and Economic Affairs; Bureaus. Amend RSA 12-O:2, I to read as follows:

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of but not limited to a division of economic development [~~which shall include but not be limited to a bureau of workforce development~~] and a division of travel and tourism [~~development which shall include but not be limited to a bureau of visitor service~~]. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

235 Workforce Development. Amend RSA 12-O:42 to read as follows:

12-O:42 Workforce Development. The commissioner of business and economic affairs shall work with the [~~workforce development~~] director ***of the office of workforce opportunity*** to plan, develop, and administer workforce investment activities, programs, and grants under the federal ***Workforce Innovation and Opportunity Act of 2014*** [~~Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq.~~], as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the State Workforce Innovation Board established under RSA 12-O:44. The commissioner shall coordinate with the State Workforce Innovation Board to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by

participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

236 Workforce Development Director. Amend RSA 12-O:43 to read as follows:

12-O:43 Workforce Development Director. There is established within the [~~bureau~~] ***office*** of workforce [~~development~~] ***opportunity*** the position of [~~workforce development coordinator~~] ***director***, which shall be an administrator [~~II~~] ***IV*** position, classified at labor grade [~~29~~] ***33***. The [~~workforce development~~] director shall lead the ***office of workforce opportunity*** [~~workforce development bureau~~]. The [~~workforce development~~] director shall perform all duties which the commissioner may assign.

237 State Workforce Innovation Board; Duties Removed. RSA 12-O:44 is repealed and reenacted to read as follows:

12-O:44 State Workforce Innovation Board.

I. There is established a State Workforce Innovation Board within the ***Office of Workforce Opportunity***.

II. Membership of the ***board*** shall be as set forth in ***the Workforce Innovation and Opportunity Act of 2014*** as such may be amended, reauthorized, and in effect from time to time. Members of the board shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the board from among the members of the board.

III. The board shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the ***Workforce Innovation and Opportunity Act of 2014.***

238 Broadband Infrastructure Bonds. Amend RSA 33:3-g, IV to read as follows:

IV. The [~~office of planning and development~~] ***department of business and economic affairs*** shall maintain a list by town of all providers interested in receiving requests for information. The list shall include physical and electronic address information for interested providers and shall be updated as needed, but at least annually. For purposes of issuing requests for information pursuant to paragraph III, a municipality, county, or communications district shall reference the interested provider list maintained by the [~~office of planning and development~~] ***department*** and shall issue requests for information to all interested providers in that municipality, county, or communications district, both electronically and by United States mail.

239 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25, III to read as follows:

III. On or before April 30 of each year, the office of planning and development shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the office of planning and development on or before May 30 of the same year. After due consideration of such evidence, the

director of [~~energy and planning~~] ***the office of planning and development*** shall determine the final components and resulting estimates.

240 Reference Deleted. Amend RSA 126-A:4, V(b)(1) to read as follows:

(1) May request and shall receive the assistance of all other state agencies, including [~~the office of planning and development, and~~] the departments of transportation, administrative services, and business and economic affairs.

241 Agricultural Advisory Board. Amend RSA 425:23 to read as follows:

425:23 Advisory Board; Duties. The board shall consult with and advise the commissioner of agriculture, markets, and food with respect to the policies, programs, and operations of the department on a continuing basis and for such purposes shall meet with the commissioner not less than semi-annually at the call of the chairperson or 3 board members. [~~The board shall designate and advertise at least one meeting annually as a public hearing~~] ***At each semi-annual meeting the board shall allow for public comment*** at which interested persons may appear and be heard regarding matters affecting agriculture, markets, and food and related laws. The board shall review and make biennial recommendations relative to administrative, legal, and regulatory factors affecting the viability of the agricultural economy. The board shall promote close coordination of the activities of the department with activities of the United States Department of Agriculture, Environmental Protection Agency and other federal agencies; the University of New Hampshire, including cooperative extension work; other state agencies; and farm organizations of the state. Upon expiration of the term of office of the commissioner of agriculture, markets, and food, or upon the occurrence of a vacancy in such office, it shall be the duty of the board to submit advisory recommendations to the governor and council concerning such new appointment or the filling of such vacancy.

242 Assistant Deputy Medical Examiners. Amend RSA 611-B:5 to read as follows:

611-B:5 Assistant Deputy Medical Examiners. The chief medical examiner shall [~~appoint~~] ***employ*** assistant deputy medical examiners to perform the duties of medical examiner under this chapter. Assistant deputy medical examiners shall serve without geographic restriction. An assistant deputy medical examiner shall be a person educated in the science of medicine and shall serve under the direction and supervision of the chief medical examiner. An assistant deputy medical examiner shall possess all the powers granted to medical examiners under this chapter and be sworn in the same manner. Assistant deputy medical examiners shall ***be appointed by the attorney general pursuant to RSA 21-M:3, XIV and shall*** serve at the pleasure of the chief medical examiner.

243 Department of Justice; Assistant Deputy Medical Examiners Established. There is established within the department of justice unclassified positions of assistant deputy medical examiners. The assistant deputy medical examiners shall be qualified to hold the position by reason of education and experience and shall be appointed to serve at the pleasure of the chief medical

examiner pursuant to RSA 611-B:5. The salary of the assistant deputy medical examiners shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1037.

244 New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners; Deputy Chief Forensic Investigator. Amend RSA 21-M:3 by inserting, after paragraph XIII, the following new paragraphs:

XIV. The attorney general, subject to the approval of the governor and council, may appoint permanent assistant deputy medical examiners within the limits of the appropriation made for the appointment, each of whom shall serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5.

XV. The attorney general, subject to the approval of the governor and council, may appoint a permanent chief forensic investigator and/or a deputy chief forensic investigator, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The chief forensic investigator and deputy chief forensic investigator may be removed only as provided by RSA 4:1.

245 Department of Justice; Planning Analyst/Data Systems; Reclassified and Established; Deputy Chief Forensic Investigator. The planning analyst/data systems position number 9T3175, within the department of justice shall be designated as an unclassified position. There is established within the department of justice an unclassified position of deputy chief forensic investigator. The deputy chief forensic investigator shall be qualified to hold the position by reason of education and experience and shall be appointed to serve for a term of 5 years. The salary of the deputy chief forensic investigator shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1033. Upon completion of this action and appointments to the unclassified position, classified position number 9T3175 shall be abolished to allow for the transition of the available appropriations to the unclassified position. Funding shall be transferred into the proper unclassified expenditure class in the chief medical examiner general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general's nomination for the unclassified deputy chief forensic investigator position.

246 Chief Medical Examiner; Reference Deleted. Amend RSA 611-B:10 to read as follows:

611-B:10 Administrative and Technical Assistance. The chief medical examiner may employ adequate administrative, clerical, and technical assistants to carry out the purposes of this chapter[~~, all of whom shall be in the classified service of the state~~].

247 Office of the Solicitor General. Amend RSA 21-M:12-a, I to read as follows:

I. There is established [~~in~~] ***within*** the [~~division of legal counsel~~] ***department*** an office of the solicitor general. The office shall be supervised by the solicitor general who shall be a senior assistant attorney general appointed by the attorney general in accordance with the provisions of RSA 21-M:3, and who shall carry out the duties imposed by the section under the supervision of the attorney general and perform such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such support staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the [~~office~~] ***department***.

248 Division of Legal Counsel. Amend RSA 21-M:7, II to read as follows:

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A [~~transportation and construction~~] ***public safety and infrastructure*** bureau.

[~~(c) An office of the solicitor general.~~]

249 Department of Justice; Name Change; Public Safety and Infrastructure Bureau. Amend the section heading of RSA 21-M:12 and RSA 21-M:12, I to read as follows:

21-M:12 [~~Transportation and Construction~~] ***Public Safety and Infrastructure Bureau.***

I. There is established in the division of legal counsel a bureau of [~~transportation and construction~~] ***public safety and infrastructure***. The bureau shall be supervised by a senior assistant attorney general who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3 and who shall carry out the duties imposed by this section under the supervision of the attorney general and do such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such additional clerical, stenographic, and other staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the bureau.

250 Department of Justice; Positions Transferred. The attorney general shall transfer national violent death reporting system positions 9T2789 and 9T2644 to the department of health and human services effective July 1, 2023. The department of justice appropriation 02-20-20-20-201510-59390000, national violent death reporting system, shall be repealed effective September 30, 2023.

251 New Section; Charitable Trusts. Amend RSA 7 by inserting after section 28-f the following new section:

7-28-g Handling Charges. If the attorney general collects a fee electronically for any registration, any annual report, any notice, any document, or any other purpose related to the duties of the director of charitable trusts, the attorney general shall collect a handling charge for each fee paid electronically. The amount of the handling charge shall be equal to the amount charged to the attorney general for processing the fee by credit card, electronic check, or other electronic means.

252 Charitable Trusts; Investigations. Amend RSA 7:24 to read as follows:

7:24 Investigation. The attorney general may investigate at any time charitable trusts, charitable solicitations, and charitable sales promotions for the purpose of determining and ascertaining whether they are administered in accordance with law and with the terms and purposes thereof. For the purposes of such investigation the attorney general may require any person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency administering a trust, charitable solicitation, or charitable sales promotion or having an interest therein, or knowledge thereof, to appear [~~at the state house~~] at such time and place as the attorney general may designate then and there under oath to produce for the use of the attorney general any and all books, memoranda, papers of whatever kind, documents of title or other evidence of assets or liabilities which may be in the ownership or possession or control of such person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency and to furnish such other available information relating to said trust, charitable solicitation, or charitable sales promotion as the attorney general may require.

253 Victim Assistance Programs. Amend RSA 21-M:8-i, IV to read as follows:

IV. No more than [~~15~~] ***30*** percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

254 New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation.

I. For each person receiving an annual allowance under the former RSA 100-A:19 as of the effective date of this section, the retirement system shall continue to pay the annual allowance to each such person as had been provided under RSA 100-A:19 prior to its repeal in 2014.

II. There hereby is appropriated the amount of $40,000 to fund the benefit for the remaining surviving beneficiaries. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such amount shall be transferred from the state's general fund to the New Hampshire retirement system, which shall maintain such funds in a segregated account exclusively for payment of the call firefighter benefits.

III. The New Hampshire retirement system shall be reimbursed from available funds a reasonable annual fee for administration of the benefit until payments under paragraph I have terminated.

IV. Funds shall be nonlapsing until termination of all benefit payments under paragraph I and any remaining funds held by the New Hampshire retirement system in this segregated account at that time, shall be returned to the state's general fund.

255 Business Finance Authority; Unified Contingent Credit Limit Increased. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, and

RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, to $95,000,000 plus interest on January 1, 1994, and to $115,000,000 plus interest on May 1, 2015***, and to $200,000,000 plus interest on June 1, 2023.***

256 Assessing Certification Board; Rulemaking and Implementation. To reduce workforce barriers and provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of RSA 310-C, relative to assessing standards, shall be transferred to the executive director of the office of professional licensure and certification effective September 1, 2023. The executive director shall consult with the assessing certification advisory board when implementing RSA 310-C. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.

257 Assessing Certification Board; Advisory Board Established. RSA 310-C:1 is repealed and reenacted to read as follows:

310-C:1 Assessing Certification Advisory Board.

I. There is established an assessing certification advisory board ("board") within the office of professional licensure and certification, that shall advise the executive director of the office of professional licensure and certification on the implementation of this chapter.

II. The board shall be composed of the following members:

(a) The commissioner of the department of revenue or designee;

(b) One certified assessor supervisor appointed by the executive director of the office of professional licensure and certification; and

(c) One member who shall be a municipal governing body official who shall not be an assessor, and who is appointed by the executive director of the office of professional licensure and certification.

III. The members shall be appointed for 3-year terms and shall not serve more than 2 full terms.

258 Assessing Certification Board; Rulemaking Authority. Amend the introductory paragraph of RSA 310-C:17, I to read as follows:

I. The ***executive director in consultation with the advisory*** board shall adopt rules pursuant to RSA 541-A, relative to:

259 Assessing Certification Board Repeal. The following are repealed:

I. RSA 310-C:9, relative to the term of certification.

II. RSA 310-C:12, I, relative to the assessing certificate.

III. RSA 310-C:13, relative to disciplinary proceedings.

IV. RSA 310-C:14, relative to hearings and investigations.

V. RSA 310-C:16, relative to summons and oaths.

260 Repeal. RSA 332-J, relative to athlete agents, is repealed.

261 Repeal. RSA 311-B:2, III and IV, relative to the members of the state board of auctioneers, is repealed.

262 Auctioneers; State Board of Auctioneers; Transfer. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for administration of the state board of auctioneers shall be transferred to the office of professional licensure and certification effective September 1, 2023.

263 Auctioneers; Rulemaking Authority. RSA 311-B:3 is repealed and reenacted to read as follows:

311-B:3 Rulemaking Authority.

I. The board, with the approval of the executive director of the office of professional licensure and certification, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The qualifications of applicants for initial, renewal, and reinstatement licensure in addition to those requirements set by statute, and the means to be used by applicants to demonstrate good professional character;

(b) Ethical and professional standards required to be met by each holder of a license under this chapter;

(c) How disciplinary actions by the board shall be implemented for violations of these standards and for misconduct by licensees; and

(d) Establishing eligibility for certificates of authorization issued under RSA 311-B:4, III.

II. The board may adopt rules, pursuant to RSA 541-A, relative to:

(a) Required maintenance of competence including requirements for continuing education;

(b) Board approval of auctioneering educational programs; and

(c) Standards governing auctioneering apprenticeships.

264 Auctioneers; Qualifications; Application. Amend RSA 311-B:5 to read as follows:

311-B:5 Qualifications; Application. The [~~board~~] ***executive director*** shall grant licensure to any applicant who:

I. Shall have attained the age of 18 years by the date the board receives the application;

II. Submits professional references or recommendations that comply with other standards specified by rule, certifying that the applicant is trustworthy and competent to auction real, personal, and mixed property in such a manner as to safeguard the interests of the public. Each such recommendation shall set forth the writer's name, address, and occupation, the extent of the writer's acquaintanceship with the applicant, the writer's familiarity with the applicant's past business experience and dealings, and any additional knowledge of the applicant's background upon which the writer bases the recommendation;

III. Pays the initial licensure fee;

IV. [Repealed.]

V. Has good professional character;

VI. Meets the eligibility standards established by the board through rulemaking;

VII. Pays the examination fee [~~specified by the board through rulemaking~~] if the examination is one developed or administered by the board; and

VIII. Passes an examination [~~administered by the board or an examination~~] administered by another entity and approved by the board through rulemaking.

265 Auctioneers; Repeals. The following are repealed:

I. RSA 311-B:4-a, relative to cease and desist orders for auctioneering without a license.

II. RSA 311-B:6, relative to nonresidents.

III. RSA 311-B:10, relative to renewals and reinstatement.

IV. RSA 311-B:11, relative to disciplinary action.

V. RSA 311-B:11-a, relative to hearings.

266 Auctioneers; Disposition of Revenue. Amend RSA 311-B:14 to read as follows:

311-B:14 Disposition of Revenue. All moneys collected under this chapter shall be paid into the [~~general fund and are appropriated therefrom to the secretary of state for the purpose of carrying out the provisions of this chapter~~] ***office of professional licensure and certification fund.***

267 Allied Health Professionals; Governing Boards Established. Amend RSA 328-F:3 as follows:

328-F:3 Governing Boards Established[~~; Board of Directors; Office of Licensed Allied Health Professionals~~].

[~~I.~~] There shall be established governing boards of athletic trainers, occupational therapists, physical therapists, speech-language pathologists and hearing care providers, and genetic counselors. ***In order to eliminate a redundant regulatory framework and promote efficiency and economy, and as set forth in RSA 310, the responsibility for administration of the governing boards shall be with the office of professional licensure and certification, and the authority of the board of directors of allied health professionals is repealed.***

[~~II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.~~

~~III. There shall be an office of licensed allied health professionals established in Concord within the office of professional licensure and certification.~~]

268 Allied Health Professionals; Completion of Survey; Rulemaking. Amend RSA 328-F:11-a as follows:

328-F:11-a Completion of Survey; Rulemaking. The ***governing*** board shall adopt rules, pursuant to RSA 541-A, requiring, as part of the license renewal process, completion by licensees of a

survey or opt-out form provided by the office of rural health, department of health and human services, for the purpose of collecting data regarding the New Hampshire primary care workforce, pursuant to the commission established in RSA 126-T. Any rules adopted under this section shall provide the licensee with written notice of his or her opportunity to opt-out from participation in the survey.

269 Allied Health Professionals; Criminal History Record Checks. Amend RSA 328-F:18-a as follows:

328-F:18-a Criminal History Record Checks.

I. The [~~board of directors~~] ***governing boards*** shall require [~~one of the following types of criminal background checks~~] from applicants for initial licensure or certification, reinstatement of licensure or certification, or conditional licensure or certification[~~:~~

~~(a) An original criminal offender record report issued by each state where the applicant has resided or been licensed within the past 6 years; or~~

~~(b) A~~] ***a*** criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

[~~(1)~~] ***(a)*** The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** may, in lieu of the criminal history records check, accept police clearances [~~described in subparagraph (a)~~].

[~~(2)~~] ***(b)*** The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

II. The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall review the criminal record information prior to the respective governing board making a decision on licensure or certification and shall maintain the confidentiality of all criminal history records received pursuant to this section.

III. The applicant shall bear the cost of all criminal history record checks.

IV. The [~~board~~] ***office of professional licensure and certification*** shall consider military security clearance for an individual actively serving in any component of the Department of Defense in lieu of criminal background checks.

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** receives the results of a criminal history record check required for licensure, if the conditional employee:

(a) Is under the direct supervision of a licensee;

(b) Has provided a written attestation to the employer and the [~~board~~] ***office of professional licensure and certification*** that no disqualifying criminal history exists; and

(c) The [~~allied health~~] governing board is not a member of an interstate licensure compact.

270 Recreational Therapists; Eligibility for Licensure. Amend RSA 326-J:5, II to read as follows:

II. The executive director may, upon notice and opportunity for a hearing, deny an application for reinstatement of a license or reinstate the license with conditions. Conditions imposed may include a requirement for continuing education, practice under the supervision of a licensed recreational therapist[~~, or any other conditions set forth in RSA 328-F:18, III~~].

271 Repeals; Allied Health. The following are repealed:

I. RSA 328-F:1, relative to allied health professionals purpose.

II. RSA 328-F:2, relative to allied health professionals definitions.

III. RSA 328-F:5, I-V, relative to allied health professionals governing board authority.

IV. RSA 328-F:7, relative to allied health professionals removal of members and vacancies.

V. RSA 328-F:8, relative to allied health professionals organization and meetings.

VI. RSA 328-F:9, relative to allied health professionals records of the boards.

VII. RSA 328-F:10, relative to allied health professionals records of disciplinary history.

VIII. RSA 328-F:11-b, relative to allied health professionals telemedicine.

IX. RSA 328-F:12, relative to allied health professionals the board of directors.

X. RSA 328-F:13, relative to allied health professionals board of directors' rulemaking authority.

XI. RSA 328-F:15, relative to allied health professionals fees.

XII. RSA 328-F:18, relative to allied health professionals issuance of licenses.

XIII. RSA 328-F:19, relative to allied health professionals renewal.

XIV. RSA 328-F:20, relative to allied health professionals reinstatement of lapsed licenses.

XV. RSA 328-F:21, II, relative to allied health professionals notification of stolen licenses.

XVI. RSA 328-F:23, relative to allied health professionals disciplinary action and hearings.

XVII. RSA 328-F:24, relative to allied health professionals investigations.

XVIII. RSA 328-F:25, relative to allied health professionals obligation to report.

XIX. RSA 328-F:26, relative to allied health professionals temporary suspension.

XX. RSA 328-F:27, relative to allied health professionals unauthorized practice.

XXI. RSA 328-F:29, relative to allied health professionals revocation of licensure.

272 Boxing and Wrestling Commission; Transfer. To promote efficiency and economy, reduce administrative costs, and facilitate customer service, the responsibility for administration of the boxing and wrestling commission shall be transferred to the office of professional licensure and certification effective September 1, 2023.

273 Boxing and Wrestling Commission; Members; Removal; Conflicts of Interest. Amend RSA 285:3, I as follows:

I. The commission shall consist of [~~3~~] ***5*** members appointed by the governor and council. Members appointed by the governor and council shall have had some experience in the fighting sports and shall be residents of the state. Members shall have no financial interest, direct or indirect, in professional fighting sports regulated by the commission.

274 Boxing and Wrestling Commission; Establishment of Commission. Amend RSA 285:7 as follows:

285:7 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The conduct of amateur and professional fighting sports competitions;

II. Requirements and qualifications for licenses, permits and amateur cards for persons involved in fighting sports competitions;

III. The grounds for revocation or suspension of a license or permit, and the reinstatement of suspended licenses and permits;

[~~IV. A fee schedule for permits and amateur cards and for the renewal of amateur cards;~~

~~V~~] ***IV***. Promoters' bonds; and

[~~VI~~] ***V***. Insurance coverage required by the commission.

275 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Cooperation With Amateur Local Boxing Committee Required. Amend RSA 285:9-a, VI as follows:

VI. The [~~commission~~] ***office of professional licensure and certification*** shall collect 5 percent of the gross receipts of paid admissions to all amateur bouts, as mandated by RSA 285:14.

276 Boxing and Wrestling Commission; Licenses Required. Amend RSA 285:11 as follows:

285:11 Licenses Required. No person shall participate in a professional fighting sports competition as a contestant, manager, referee, judge, second or timekeeper without a license from the commission. [~~The fee for all licenses issued by the commission shall be $20. Licenses granted by the commission shall be valid for one year from the date of issue unless revoked or suspended by the commission. The commission shall, upon application, renew any license unless good cause is shown that the license should not be renewed. The fee for all license renewals issued by the commission shall be $20.~~]

277 Boxing and Wrestling Commission; Suspension or Revocation; Appeals. Amend RSA 285:12 as follows:

285:12 Suspension or Revocation; Appeals.

[~~I.~~] The commission may revoke or suspend any permit or license for cause.

[~~II. Rehearings and appeals from any decision of the commission shall be in accordance with RSA 541.~~]

278 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Permit and License Fees; Amateur Cards. Amend RSA 285:14, II as follows:

II. The promoter also shall, at the same time, pay to the [~~commission~~] ***office of professional licensure and certification*** by certified check a tax of 5 percent of the gross receipts of paid admissions after deduction of any federal taxes. ***Payments made pursuant to this section shall be deposited into a dedicated fund, which shall lapse annually at the close of each fiscal year to the general fund.***

279 Boxing and Wrestling Commission; Deputy Inspectors. Amend RSA 285:19 as follows:

285:19 Deputy Inspectors. A member of the commission is not required to be present at all fighting sports competitions. If a member of the commission is not present at a fighting sports competition held under this chapter, the commission shall appoint a deputy inspector who shall, for the duration of the contest, have the full duties and powers of a member of the commission. Deputy inspectors shall be entitled to compensation as the commission***, with the approval of the executive director,*** may deem proper.

280 Repeals; Boxing and Wrestling Commission. The following are repealed:

I. RSA 285:5, relative to boxing and wrestling commission chairperson, treasurer, and quorum.

II. RSA 285:6, relative to boxing and wrestling commission compensation.

III. RSA 285:8, relative to boxing and wrestling commission report.

281 Electricians; Definitions. Amend RSA 319-C:2, IV as follows:

IV. "Journeyman electrician" means a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be employed by a master electrician[~~, except as provided in RSA 319-C:10~~]. Each journeyman electrician shall work under the direction and supervision of a master electrician.

282 Electricians; Inspectors. Amend RSA 319-C:5, I as follows:

I. The [~~board~~] ***office of professional licensure and certification*** shall be empowered to appoint such inspectors as may be necessary to carry out the purposes of this chapter. Any person so employed shall be under the administration and supervisory direction of the [~~board~~] ***office of professional licensure and certification.***

283 Electricians; Licensing Requirements. Amend RSA 319-C:7, II, as follows:

II. [~~After June 30, 1976,~~] The board shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may

give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board ***or experience in the field received in military service, in accordance with rules adopted by RSA 541-A***; and

(b) Satisfactory passing of an examination [~~conducted~~] ***approved*** by said board as provided in RSA 319-C:8 to determine [~~his~~] ***the person's*** fitness to receive such license.

284 Repeals. The following are repealed:

I. RSA 319-C:6-a, VI, relative to electricians rulemaking for investigations.

II. RSA 319-C:6-a, VII, relative to electricians procedural rules for hearings.

III. RSA 319-C:6-b, relative to electricians fees.

IV. RSA 319-C:9, relative to electricians renewal of licenses.

V. RSA 319-C:10, relative to electricians corporations and partnerships.

VI. RSA 319-C:12, relative to electricians disciplinary action.

VII. RSA 319-C:12-a, relative to electricians hearings.

VIII. RSA 319-C:12-b, relative to electricians appeals.

IX. RSA 319-C:14, relative to electrician nonresidents.

285 Genetic Counselors; Provisional License. Amend RSA 326-K:4 to read as follows:

326-K:4 Provisional License.

I. A provisional license may be issued by the [~~board~~] ***office*** to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

(a) Issuance of a full license;

(b) Thirty days after the applicant fails to pass the certification examination; or

(c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the [~~board~~] ***office*** for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The [~~board~~] ***office*** is authorized to issue conditional provisional licenses in accordance with ***governing board*** rules adopted pursuant to RSA 541-A.

286 Genetic Counselors; Prohibition on Unlicensed Practice. Amend RSA 326-K:5, I to read as follows:

I. No person shall practice or represent himself or herself as a genetic counselor in this state

without first applying for and receiving a license or provisional license from the [~~board~~] ***office*** to practice as a licensed genetic counselor.

287 Genetic Counselors; Privileged Communications. Amend RSA 326-K:8, II to read as follows:

II. Information and results may be made available to the board ***or the office*** for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

288 Repeal; Genetic Counselors. RSA 326-K:6, relative to reciprocity is repealed.

289 Hawkers and Peddlers; Repeal. RSA 320, relative to hawkers and peddlers, is repealed.

290 Itinerant Vendors; Repeal. RSA 321, relative to itinerant vendors, is repealed.

291 Board of Manufactured Housing; Repeals. The following are repealed:

I. RSA 205-A:25, relative to board establishment.

II. RSA 205-A:26, relative to quorum.

III. RSA 205-A:27, relative to jurisdiction.

IV. RSA 205-A:28, relative to decisions.

V. RSA 205-A:29, relative to meetings and records.

VI. RSA 205-A:29-a, relative to administrative and business processing functions.

VII. RSA 205-A:30, relative to notification and cooperation.

VIII. RSA 205-A:31, relative to rulemaking.

292 State Board of Fire Control; Mechanical Licensing Board. Amend RSA 153:27-a to read as follows:

153:27-a Mechanical Licensing Board. There is hereby established as a unit within the office of professional licensure and certification. The term of office for the members appointed to the board shall be 3 years and until a successor is appointed. The initial appointed members of the board shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. No member of the board shall be appointed to more than 2 consecutive terms. [~~A member of the board shall serve as the board secretary.~~]

I.(a) No member of the board may be associated with the formal education for licensing, and/or be provider or an employee of a provider for continuing education for any profession or trade licensed under this subdivision.

(b) A public member of the board shall be a person who is not, and never was, a member of the fuel gas fitting or plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing and/or fuel gas services or an activity directly related to plumbing and/or fuel gas, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

II. The board shall:

(a) Adopt rules as provided for in this subdivision.

(b) [~~Implement the licensing program under this subdivision.~~

[~~(e)~~] Review and approve educational programs and providers.

[~~(d)~~] ***(c)*** Conduct hearings for disciplinary actions.

[~~(e)~~] ***(d)*** Review and recommend adoptions, exceptions, or omissions to technical standards as adopted under RSA 153:28.

[~~(f)~~] ***(e)*** Develop and recommend for the legislature future changes to this subdivision.

III. The members of the board shall be appointed by the governor and council as follows:

(a) Two licensed journeymen or master plumbers, who are actively working in the trade as plumbers.

(b) [~~Two~~] ***One*** licensed fuel gas [~~fitters~~] ***fitter***, [~~both of whom are~~] actively working in the trade as fuel gas fitters[~~, and one of whom shall represent the propane fuel industry~~].

(c) One certified heating equipment installer or heating equipment service person under RSA 153:16-b.

(d) [~~One licensed master plumber who is also a licensed fuel gas fitter and a certified heating equipment installer or servicer, actively working in the trade.~~

[~~(e)~~] One public member who is not, and never was, a member of the plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing services or an activity directly related to plumbing, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

[~~(f) One certified water treatment technician, who shall be a nonvoting member of the board.~~]

IV. [~~The board shall hold at least 8 regular meetings each year, and may hold special meetings at such times as the business of the board may require. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide and in accordance with New Hampshire state law. A quorum of the board shall consist of 4 members.~~

~~V.~~] The board shall annually elect a chairman [~~and a vice chairman~~] from among its members.

[~~VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.~~]

293 State Board of Fire Control; Mechanical Licensing Board; Repeals. The following are repealed:

I. RSA 153:28, II, relative to rulemaking regarding fees.

II. RSA 153:30, relative to expiration and renewal of licensure.

III. RSA 153:32, relative to disciplinary action.

IV. RSA 153:33, relative to appeals from board decisions.

V. RSA 153:37, relative to penalties.

VI. RSA 153:38, relative to voluntary certification of water treatment technicians.

294 Pharmacy; Board. Amend RSA 318:2 to read as follows:

318:2 Board. There shall be a pharmacy board consisting of [~~7~~] *5* members; including [~~6~~] *4* practicing pharmacists, at least one of whom shall be a full-time hospital pharmacist, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member shall be appointed to more than 2 consecutive terms and no member shall serve for more than 10 consecutive years. Only board members provided for in this section shall have the authority to vote in board determinations.

295 Pharmacy; Rulemaking Authority. Amend RSA 318:5-a, IX to read as follows:

IX. [~~Procedures~~] ***Standards*** for the inspection of licensees;

296 Repeal; Pharmacy Rulemaking. The following are repealed:

I. RSA 318:5-a, VIII, relative to procedures for the conduct of hearings consistent with the requirements of due process.

II. RSA 318:5-a, X(e), relative to the establishment of the effective period of registration or certification for pharmacy technicians.

III. RSA 318:5-a, XI-a(e), relative to the establishment of the effective period of registration or certification for pharmacy interns.

IV. RSA 318:5-a, XI-c(e), relative to the establishment of the effective period of registration or certification for advanced pharmacy technicians.

297 Pharmacy Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a Inspectional Services. The [~~pharmacy board through the~~] office of professional licensure and certification shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

298 Pharmacy; Pharmacy Interns. Amend RSA 318:15-b to read as follows:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the [~~board~~] ***office of professional licensure and certification*** to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

299 Pharmacy Examinations and Licenses; Pharmacists. Amend RSA 318:18, I(b)(3) to read as follows:

(3) File proof satisfactory to the [~~board~~] ***office of professional licensure and certification***, substantiated by proper affidavits, of a minimum of one year (1,500 hours) internship activity in a community or institutional pharmacy in the United States or Canada or an equivalent program which has been approved by the board of pharmacy; and shall pass the national

examination administered by the National Association of Boards of Pharmacy (NABP) to establish his or her fitness to practice the profession of pharmacy. The internship required in this section shall be service and experience in a community or institutional pharmacy under the supervision of a licensed pharmacist and shall be predominantly related to the selling of drugs and medical supplies; interpreting, compounding, preparing and dispensing of prescriptions; preparing of pharmaceutical products; keeping records and making reports required under federal and state statutes; and otherwise practicing pharmacy under the immediate supervision and direction of a licensed pharmacist.

300 Pharmacists; Examinations and Licenses; Pharmacists. Amend RSA 318:18, II to read as follows:

II. The [~~board~~] ***office of professional licensure and certification*** may deny licensure as a pharmacist for grounds which include, but which shall not be limited to, prior conviction of a felony; or of a misdemeanor resulting from a violation of a federal, state or local drug or pharmacy-related law, rule, or regulation.

301 Pharmacy; Change in Name, Employment, or Residence. Amend RSA 318:26-a to read as follows:

318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced pharmacy technician, or pharmacy technician who changes his or her name, place or status of employment, or residence shall notify the [~~board~~] ***office of professional licensure and certification*** in writing within 15 days. For failure to report such a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy technician's license, or the pharmacy technician's registration. Reinstatement shall be made only upon payment of a reasonable fee as established by the board.

302 Pharmacy; Impaired Pharmacist Program. Amend RSA 318:29-a to read as follows:

318:29-a Impaired Pharmacist Program.

I. Any pharmaceutical peer review committee may report relevant facts to the board ***or office of professional licensure and certification*** relating to the acts of any pharmacist in this state if they have knowledge relating to the pharmacist which, in the opinion of the peer review committee, might provide grounds for disciplinary action as specified in RSA 318:29, II.

II. Any committee of a professional society comprised primarily of pharmacists, its staff, or any district or local intervenor participating in a program established to aid pharmacists impaired by substance abuse or mental or physical illness may report in writing to the board ***or office of professional licensure and certification*** the name of the impaired pharmacist together with the pertinent information relating to his impairment. The board ***or office of professional licensure and certification*** may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any pharmacist who may be impaired by substance abuse or mental or physical illness.

III. [~~Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the pharmacist's individual record in the board's office. A pharmacist or his authorized representative shall be entitled on request to examine the pharmacist's peer review or the pharmaceutical organization committee report submitted to the board and to place into the record a statement of reasonable length of the pharmacist's view with respect to any information existing in the report.~~

~~IV.~~] Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with an impaired pharmacist peer review committee, shall be confidential and are not to be considered open records unless the affected pharmacist so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the pharmacist licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

[~~V.~~] ***IV.***(a) No employee or member of the board, peer review committee member, pharmaceutical organization committee member, pharmaceutical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired pharmacist shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless he is found to have acted recklessly or wantonly.

[~~VI.(a)~~] ***V.*** The [~~board~~] ***office of professional licensure and certification*** may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited to, education, intervention and post-treatment monitoring.

[~~(b) The board may allocate an amount determined by the board from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).~~]

303 Pharmacy; Required; Compliance. Amend RSA 318:37 to read as follows:

318:37 Required; Compliance.

I. No person shall conduct or operate a pharmacy for the sale at retail of drugs and medicines unless such pharmacy is registered with and a permit therefor has been issued by the ***office of professional licensure and certification in accordance with rules adopted by the*** pharmacy board, except as provided in this chapter.

II.(a) No person shall conduct or operate a mail-order pharmacy located outside of this state by shipping, mailing, or delivering prescription drugs into this state unless such pharmacy is

registered in New Hampshire and a permit has been issued by the New Hampshire pharmacy board.

(b) To obtain a permit, a mail-order pharmacy shall comply with each of the following:

(1) Maintain a license in good standing from the state in which the mail-order pharmacy is located;

(2) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** an application for registration [~~as provided by the office of professional licensure and certification~~];

(3) Pay all appropriate registration fees;

(4) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state pharmacy license from the state in which the mail-order pharmacy is located;

(5) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state and federal controlled substance registrations from the state in which it is located, if controlled substances are to be shipped into this state.

(c) When requested to do so by the New Hampshire pharmacy board, each mail-order pharmacy shall supply the New Hampshire pharmacy board with any inspection reports, warning notices, disciplinary actions, notice of deficiency reports, or any other related reports from the state in which it is located concerning the operation of a mail-order pharmacy for review of compliance with state and federal drug laws.

(d) Except in emergencies that constitute an immediate threat to the public health and require expedited action by the board, the New Hampshire pharmacy board shall file a complaint with the licensing board of the state in which the mail-order pharmacy is located when known or suspected violations of the laws of the state in which the pharmacy is located are uncovered. If the licensing board in the state in which the mail-order pharmacy is located initiates disciplinary action, the New Hampshire pharmacy board may request the appropriate documents involved in the action for consideration of discipline against the pharmacy registration of the mail-order pharmacy. If no action is taken against the mail-order pharmacy by the licensing board of the state in which it is located, the New Hampshire pharmacy board may request copies of any investigation reports available from that state.

(e) The New Hampshire pharmacy board shall extend reciprocal cooperation to any state that licenses and regulates mail-order pharmacies for the purpose of investigating complaints against pharmacies located in New Hampshire or the sharing of information and investigative reports, as long as the other state shall extend the same reciprocal cooperation to the New Hampshire pharmacy board.

304 Pharmacy; Licensing of Limited Retail Drug Distributors Required. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-

a, without first having obtained a license to do so from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight June 15 of every odd-numbered year.~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

305 Pharmacy; Licensing of Outsourcing Facilities Identified as Section 503B Facilities by the United States Food and Drug Administration. Amend RSA 318:51-c, I-II to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a fee established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the pharmacy board~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient land, buildings, and security equipment as to properly carry on the business described in the application.

306 Pharmacy; Licensure of Research Organizations. Amend RSA 318:51-f, I-II to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the board of pharmacy~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient space and security equipment as to properly carry on the research operations described in the application.

307 Pharmacy; Licensure of Drug or Device Distribution Agents. Amend RSA 318:51-g, I to read as follows:

I. No person shall act as a prescription drug or device distribution agent, which includes

controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy*** board.

308 Repeal; Pharmacists. The following are repealed:

I. RSA 318:5, relative to officers and duties.

II. RSA 318:6-a, relative to fees.

III. RSA 318:16-e, relative to telemedicine.

IV. RSA 318:21, relative to applicants from out of state.

V. RSA 318:23, relative to application fee.

VI. RSA 318:25, relative to renewal of license.

VII. RSA 318:26, relative to neglect to renew.

VIII. RSA 318:29, relative to disciplinary action.

IX. RSA 318:29-b, relative to denial of a license.

X. RSA 318:29-c, relative to immunity.

XI. RSA 318:30, relative to investigatory powers of the board.

XII. RSA 318:30-a, relative to temporary suspension.

XIII. RSA 318:31, relative to hearings.

XIV. RSA 318:33, relative to attendance.

XV. RSA 318:35, relative to association.

XVI. RSA 318:36, relative to information.

XVII. RSA 318:38, relative to permits and fees.

XVIII. RSA 318:55, relative to fines.

XIX. RSA 318:56, relative to unused prescription program.

XX. RSA 318:57, relative to definitions.

XXI. RSA 318:58, relative to donating unused drugs.

XXII. RSA 318:59, relative to rulemaking.

XXIII. RSA 318:60, relative to limited immunity.

309 Physical Therapy; Powers and Duties. RSA 328-A:3 is repealed and reenacted to read as follows:

328-A:3 Powers and Duties of the Board. The board shall:

I. Provide for the examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.

II. Regulate the practice of physical therapy by interpreting and enforcing this chapter.

III. Elect officers from its members necessary for the operations and obligations of the board. Terms of office shall be one year.

310 Physical Therapy; Rulemaking. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, [~~fees,~~] and renewal of, and disciplinary

proceedings for certified animal physical therapists under RSA 328-A:15-b.

311 Physical Therapy; Examination. Amend RSA 328-A:7, I to read as follows:

I. The [~~board~~] ***office*** shall conduct***, through a third party,*** examinations within the state at least quarterly [~~at a time and place prescribed by the board~~]. The passing score shall be determined by the board.

312 Repeals; Physical Therapy. The following are repealed:

I. RSA 328-A:15, II, relative to physical therapy, rights of consumers to privacy.

II. RSA 328-A:12, relative to unlawful practice of physical therapy.

III. RSA 328-A:13, relative to reporting violations.

313 State Licensed or Certified Real Estate Appraisers; Real Estate Appraiser Board. Amend RSA 310-B:4 as follows:

310-B:4 Real Estate Appraiser Board.

I. There is established [~~an independent~~] ***a*** real estate appraiser board [~~which shall be administratively attached to the office of state~~] ***within the office of professional licensure and certification***. The board shall be composed of the following [~~7~~] ***5*** members, appointed by the governor with the consent of council:

(a) Three real estate appraisers with a minimum of 5 years' experience, consisting of one New Hampshire certified residential appraiser, one New Hampshire certified general appraiser, and one New Hampshire certified appraiser who is a broker licensed under RSA 331-A; provided that no 2 appraiser members shall be members of the same private appraisal organization.

(b) One representative from a New Hampshire lending institution.

(c) [~~The banking executive director or designee.~~

~~(d) Two members~~] ***One member*** of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

II. All appointments shall be made within 90 days after the effective date of this chapter.

III. On or before July 1, 1991, each real estate appraiser member of the board shall be certified or licensed are a real estate appraiser under this chapter. One such member shall hold the residential license and one such member shall hold a general appraiser certificate.

IV. The term of each member shall be 3 years, except that, of the members first appointed, 3 shall serve for 3 years, 2 shall serve for 2 years, and 2 shall serve for one year.

V. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person[~~, except the executive director or designee,~~] shall serve as a member of the board for more than 2 consecutive terms. The appointing authority may remove a member for cause.

[~~VI. The board shall meet at least once each calendar quarter to conduct its business and more often on call of the chair, or when the chair is requested to do so by 4 or more members of the board. The action of the majority of the members of the board present and voting shall be deemed~~

~~the action of the board, and at least 4 members shall be present and voting on every vote of the board. Places of future meetings shall be decided by the vote of members at meetings or, in the event of a special meeting, by the chair. Written notice shall be given by the chair to each member of the time and place of each meeting of the board at least 10 days in advance.~~]

VII. The chairman of the board shall be elected from the board's members. [~~Neither the banking executive director nor his designee shall serve as chairman~~.

~~VIII. No board member shall be entitled to a per diem allowance. Board members shall be reimbursed for actual travel in the performance of official duties at the usual state employee rate.~~

~~IX. The members of the board shall be immune from any civil action or criminal prosecution for actions taken in their capacity as members of the board, provided that such action is taken in good faith and in the reasonable belief that the action was taken pursuant to the powers and duties of the board under this chapter.~~

~~X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.~~]

314 State Licensed or Certified Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5 as follows:

310-B:5 Licensure or Certification Process.

I. Applications for original license or certification, renewal license or certification and examinations shall be made in writing [~~to the board on forms approved by the board~~].

II. Appropriate fees, [~~as fixed by the board under rules established pursuant to RSA 541-A~~], shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the [~~board~~] ***office*** for transmittal to the federal government under Title XI.

III. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in this chapter and state that he understands the types of misconduct for which disciplinary proceedings may be initiated against a certified or licensed real estate appraiser, as set forth in this chapter.

315 State Licensed or Certified Real Estate Appraisers; Prohibited Conduct. Amend RSA 310-B:5-a as follows:

310-B:5-a Prohibited Conduct. A person licensed or certified [~~by the board~~] under this chapter, shall, after a hearing, be subject to disciplinary action as provided in RSA 310-B:18 for being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar offense or offenses; provided that, for the purposes of this section being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the

sentence has been deferred or suspended.

316 State Licensed or Certified Real Estate Appraisers; Criminal History Records Checks. Amend RSA 310-B:6-a as follows:

310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the [~~board~~] ***office*** a criminal history record release form, as provided by the New Hampshire division of state police, office of safety, which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office***.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the office of safety. The [~~board~~] ***office*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [~~board~~] ***office*** may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [~~board~~] ***office.*** The [~~board~~] ***office*** shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

317 State Licensed or Certified Real Estate Appraisers; Examination Prerequisites. Amend RSA 310-B:8 as follows:

310-B:8 Examination Prerequisites.

I. As prerequisites to taking the examination for certification as a certified general real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A.***

II. As prerequisites to taking the examination for certification as a certified residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A.***

III. As prerequisites to taking the examination for licensure as a licensed residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed

the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, ***in accordance with rules adopted by the board pursuant to RSA 541-A.***

318 State Licensed or Certified Real Estate Appraisers; Experience Requirements. Amend RSA 310-B:9, II as follows:

II. Each applicant for license or certification shall furnish a signed, detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the board ***or office*** for examination a sample of appraisal reports which the applicant has prepared in the course of his or her appraisal practice.

319 State Licensed or Certified Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA 310-B:12-b, I as follows:

I. It is unlawful for a person to directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration issued by the [~~board~~] ***office*** under the provisions of this chapter.

(a) An applicant for registration as an appraisal management company in this state shall submit to the [~~board~~] ***office*** an application using the method prescribed and furnished by the office of professional licensure and certification.

(b) In the event a registration process is unavailable upon the effective date of this chapter, an appraisal management company already conducting business in this state may continue to conduct business in accordance with this chapter until the 120th day after a registration process becomes available.

320 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, I to read as follows:

I. An appraisal management company that applies to the [~~board~~] ***office*** for a registration to do business in this state as an appraisal management company shall not:

321 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, III to read as follows:

III. Each appraisal management company seeking to be registered in this state shall certify to the [~~board~~] ***office*** on an annual basis on a form prescribed by the [~~board~~] ***office*** that the appraisal management company has systems in place to verify that:

322 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Appraisal Review. Amend RSA 310-B:12-i as follows:

310-B:12-i Appraisal Management Company; Appraisal Review. Any employee of, or independent contractor to, an appraisal management company that performs a USPAP Standard 3

review of an appraisal report on property located in this state shall be an appraiser with the proper level of licensure issued by the [~~board~~] ***office***. Quality control examinations are exempt from this requirement as they are not considered a Standard 3 review.

323 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Registration Number. Amend RSA 310-B:12-m as follows:

310-B:12-m Appraisal Management Company; Registration Number.

I. The [~~board~~] ***office*** shall issue a unique registration number to each appraisal management company registered in this state pursuant to this chapter.

II. The [~~board~~] ***office*** shall maintain a list of the appraisal management companies registered in this state and the registration numbers assigned to such persons.

III. An appraisal management company registered in this state shall disclose the registration number provided to it by the [~~board~~] ***office*** on the engagement documents presented to an appraiser.

324 State Licensed or Certified Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16, I as follows:

I. A license or certificate issued under authority of this chapter shall bear a license or certificate number assigned by the [~~board~~] ***office***.

325 State Licensed or Certified Real Estate Appraisers; Repeals. The following provisions of RSA chapter 310-B are hereby repealed:

I. RSA 310-B:3-a, relative to penalty.

II. RSA 310-B:10, relative to term of licensure.

III. RSA 310-B:12, relative to nonresident licensure.

IV. RSA 310-B:12-a, relative to temporary practice.

V. RSA 310-B:12-e, relative to appraisal management company fee.

VI. RSA 310-B:13, relative to renewal.

VII. RSA 310-B:13-a, relative to lapse.

VIII. RSA 310-B:14, I relative to continuing education.

IX. RSA 310-B:18, relative to disciplinary proceedings.

X. RSA 310-B:18-b, relative to reissuance of license.

XI. RSA 310-B:19, relative to hearings.

XII. RSA 310-B:20, relative to fees.

XIII. RSA 310-B:21, relative to receipts.

XIV. RSA 310-B:23-a, relative to summons.

XV. RSA 310-B:24, VII, relative to rulemaking authority.

XVI. RSA 310-B:24, IX, relative to the requirements for public information requests.

326 New Hampshire Real Estate Practice Act; Repeals. The following provisions of RSA chapter 331-A are hereby repealed:

I. RSA 331-A:7, II relative to fees.

II. RSA 331-A:7, IV, relative to fees.

III. RSA 331-A:7, V, relative to orders.

IV. RSA 331-A:12-a, relative to inactive license status.

V. RSA 331-A:15, relative to issuance of licenses.

VI. RSA 331-A:17, relative to license amendments.

VII. RSA 331-A:18, relative to lapse of license.

VIII. RSA 331-A:19, relative to renewal of license.

IX. RSA 331-A:24, relative to fees.

X. RSA 331-A:25, IV, relative to rulemaking regarding fees.

XI. RSA 331-A:25, VII, relative to license certificates.

XII. RSA 331-A:25, X, relative to procedures.

XIII. RSA 331-A:25, XI, relative to conduct of hearings.

XIV. RSA 331-A:25, XIII, relative to procedures for renewal licenses.

XV. RSA 331-A:28, relative to disciplinary actions.

XVI. RSA 331-A:29, relative to disciplinary procedures.

XVII. RSA 331-A:30, relative to hearing procedures.

XVIII. RSA 331-A:31, relative to payment by the state.

XIX. RSA 331-A:33, relative to immunity.

XX. RSA 331-A:34, relative to unlawful practice.

XXI. RSA 331-A:35, relative to prosecution.

327 Professional Bondsmen; Approval and Registration. Amend RSA 598-A:1, as follows:

598-A:1 Approval and Registration. ***To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for registration of professional bondsmen shall be transferred to the office of professional licensure and certification effective July 1, 2023.*** No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification***; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on 5 separate occasions in said year shall be accepted thereafter during that year as bail or surety unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman as provided in this section.

328 Professional Bondsmen; Fees. Amend RSA 598-A:1-a to read as follows:

598-A:1-a Fees.

[~~I.~~] A person proposing to become bail or surety and registered as a professional bondsman

shall pay to the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** an initial application fee. [~~of $400;~~] The fee shall be deposited in the [~~general fund by the state treasurer as unrestricted revenue~~] ***office of professional licensure and certification fund.***

[~~II. Thereafter, an annual renewal fee of $100 for the registration in each county of the state where a professional bondsman seeks to post bail shall be due and payable to the secretary of state or his designee on December 30 for the ensuing year. The fee shall be deposited in the general fund by the state treasurer as unrestricted revenue.~~]

329 Professional Bondsmen; Revocation. Amend RSA 598-A:2 as follows:

598-A:2 Revocation. A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Approval and registration under this chapter may be revoked at any time by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** and shall be revoked in case such a bondsman fails for 30 days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full within 30 days after demand shall immediately notify the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** or [~~his~~] designee in writing.

330 Professional Bondsmen; List of Professional Bondsmen. Amend RSA 598-A:3, as follows:

598-A:3 List of Professional Bondsmen. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall furnish all superior court clerks, all district courts having authority to accept bail, all jails, and all police stations with a list of the names of all persons registered as professional bondsmen and shall notify such clerks, courts, jails, and police stations of any change in a bondsman's status. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall update the list as necessary, but not less than once per year. The list shall include the following statement in bold type: "You are encouraged to contact more than one bail bondsman because not all bail bondsmen charge the same fees or provide the same services." The unaltered list shall be displayed prominently and visibly to defendants in all courts, jails, and police stations. No other list shall be displayed, furnished, or provided

331 Professional Bondsmen; Rules. Amend RSA 598-A:4 as follows:

598-A:4 Rules of the [~~Secretary of State or His Designee~~] ***Executive Director.*** All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification.***

332 Refund of Fees; Repealed License Requirements. Any holder of an active license for a profession whose license requirement is repealed by this act shall be refunded their license fee for their current active license.

333 Effective Date. Sections 256-331 of this act shall take effect September 1, 2023.

334 Appropriation; New Hampshire Retirement System; Unfunded Accrued Liability. The sum of $50,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the New Hampshire retirement system. Said appropriation shall be used by the New Hampshire retirement system to pay down the unfunded accrued liability and shall not be used for any other purposes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

335 New Section; Retirement System; Supplemental Allowance; Certain Group II Members. Amend RSA 100-A by inserting after section 41-e the following new section:

100-A:41-f Supplemental Allowance; Group II.

I.(a) Any retired group II member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 120 months, but not more than 239 months prior to or on July 1, 2023, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive a supplemental allowance. The amount of such supplemental allowance shall be the result of the calculation of $200 times the number of years since the member's retirement date minus $900, provided that such supplemental allowance shall be reduced so that the total annual benefit of the member or beneficiary shall not exceed $100,000. A member or beneficiary whose annual retirement benefit is $100,000 or greater shall not receive any supplemental allowance.

(b) Any retired group II member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 240 months, prior to or on July 1, 2023 or any beneficiary of such member who is receiving an allowance, shall be entitled to receive a supplemental allowance. The amount of the supplemental allowance shall be $3,000, provided that such supplemental allowance shall be reduced so that the total annual benefit of the member or beneficiary shall not exceed $100,000. A member or beneficiary whose annual retirement benefit is $100,000 or greater shall not receive any supplemental allowance.

II. The total cost of the supplemental allowances under paragraph I, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury for the fiscal year ending June 30, 2023 not otherwise appropriated.

III. The supplemental allowance shall not become a permanent addition to the beneficiary's base retirement allowance and shall be paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance for group II under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13, or similar provisions of predecessor systems.

IV. The payment of the supplemental allowance under this section shall be made by the retirement system as soon as administratively practicable after the effective date of this section, but not later than November 1, 2023.

336 Effective Date. Section 335 of this act shall take effect June 30, 2023.

337 Budget Trailer Bill; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9:2-a to read as follows:

9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time ***and shall be publicly posted on the department of administrative services' website on the date of the transmittal.***

338 Department of Administrative Services; General Fund Appropriation Lapse; Report. For the biennium ending June 30, 2025, the department of administrative services shall provide a report to the fiscal committee of the general court on the current estimated general fund appropriation lapse for each fiscal year. Said reports shall be due on the 15th day of December, February, April, and June of each fiscal year.

339 Administrative Services; Public Works Design and Construction; Definition of Project. Amend RSA 21-I:78, IX to read as follows:

IX. "Project" means any construction, reconstruction, alteration, or maintenance in any building, plant, fixture, or facility.

(a) The term shall include those projects relating to buildings, plants, fixture, or facilities formerly administered through the department of transportation, division of public works.

(b) The term shall include projects relating to state trails, roads, bridges, and related maintenance and use of facilities under fish and game provisions in title XVIII, public recreation provisions in title XIX, and forestry provisions in title XIX-A. The commissioner may waive requirements for approval by governor and council for short term rentals of equipment contracted for or acquired for the purposes of projects under this subparagraph, provided such projects are reported quarterly to the fiscal committee of the general court.

(c) The term shall not include construction, reconstruction, alteration, or maintenance of highways, bridges, or other items directly related to transportation, which matters shall be managed by the department of transportation.

340 Revenue Information Management System Account. Amend RSA 21-J:1-b, I to read as follows:

I. There is hereby established a nonlapsing revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. ***If the revenue information management systems account revenue is not sufficient to cover the principal and interest on the bonds and notes to fund the RIMS project, the governor is authorized to draw a warrant from funds not otherwise appropriated.*** Said funds shall not be used for any other purpose

341 New Section; Electronic Licensing, Certification, and Registration System; Department of Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new section:

425:12-a Electronic Licensing, Certification, and Registration System. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of all departmental licensing, certification, and registration duties. Such system shall be capable of receiving electronically transmitted product registrations, license applications, certificate applications, and related materials. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

342 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing, Certification, and Registration System. For the purpose of developing an electronic licensing, certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of $360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

343 Refuse Reduction; Disposal Prohibited. Amend the section heading of RSA 149-M:27 to read as follows:

149-M:27 [~~Refuse Reduction~~] ***Disposal Prohibited.***

344 New Paragraph; Food Waste Disposal. Amend RSA 149-M:27 by inserting after paragraph IV the following new paragraph:

V.(a) Beginning February 1, 2025, any person generating one ton of food waste per week or greater shall not dispose of such waste in a landfill or incinerator provided that:

(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

(2) The alternative facility has adequate capacity to accept the food waste.

(b) Food waste prohibited from disposal under subparagraph (a) shall be separated from other types of solid waste and managed in accordance with one or more of the following methods, in order of preference:

(1) Reduction of the amount generated at the source;

(2) Consumption by humans;

(3) Consumption by animals;

(4) Composting, digestion, or land application as appropriate; and

(5) Energy recovery not involving combustion.

345 Definitions; Food Waste. Amend RSA 149-M:4, IX-a to read as follows:

IX-a. ***"Food waste" means the organic residues generated by the handling, preparation, storage, sale, and serving of foods and beverages. "Food waste" includes pre-consumer and post-consumer organic residues, food scraps, and non-petroleum oil used for food preparation provided it does not contain sanitary wastewater.***

IX-b. "General permit" means a permit which contains terms and conditions applicable to a specific category of facility, which applies to any facility in that category which has submitted the required information and agreed to abide by the stated terms and conditions.

346 Solid Waste; Definitions; Source Reduction. RSA 149-M:4, XXIV is repealed and reenacted to read as follows:

XXIV. "Source reduction" means the practice of reducing the quantity or toxicity of waste generated at the source, before recycling, processing, disposal or treatment, by changing the processes that first generated the waste. Source reduction includes waste reduction.

347 Department of Environmental Services; New Position; Waste Management Specialist III. There is established the position of Waste Management Specialist III to administer the provisions of RSA 149-M:27, V.

348 Appropriation; FY 2025; Department of Environmental Services. The sum of $98,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of environmental services for the position established in this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

349 Effective Date. Sections 343-348 of this act shall take effect January 1, 2024.

350 Definitions; PFAS Fund and Programs. Amend RSA 485-H:2, IV to read as follows:

IV. "PFAS [~~loan~~] ***response*** fund" means the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

351 Implementation of Drinking Water Protection Program; PFAS Response Fund. Amend RSA 485-H:3, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made and will make reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party after the loan is provided is applied to early repayment of such loan to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of a PFAS drinking water standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness or grant. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

352 Implementation of Groundwater, Surface Water and Aquatic Life Protection; PFAS Response Fund. Amend RSA 485-H:4, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party at a later time is applied to early repayment of the loan from the PFAS [~~loan~~] ***response*** fund to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of an applicable PFAS standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

353 New Subparagraph; Duties of the Department; PFAS Response. Amend RSA 485-H:8, I by inserting after subparagraph (d) the following new subparagraphs:

(e) Investigating, testing, and monitoring PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

(f) Conducting scientific investigation to support development of appropriate regulatory standards for PFAS, and development and implementation of treatment and remediation methods for PFAS in air, water, soil and other media.

354 PFAS Response Fund Established. Amend RSA 485-H:10 to read as follows:

485-H:10 PFAS [~~Remediation Loan~~] ***Response*** Fund Established. There is hereby established in the department the PFAS [~~remediation loan~~] ***response*** fund which shall be maintained [~~by the state treasurer in~~] ***as*** distinct and separate [~~custody~~] from all other funds[~~, notwithstanding RSA 6:12~~]. The [~~state treasurer may invest the~~] PFAS [~~remediation loan~~] ***response*** fund ***shall be invested*** in accordance with RSA 6:8. Any earnings on PFAS [~~remediation loan~~] ***response*** fund moneys shall be added to the PFAS [~~remediation loan~~] ***response*** fund. All moneys in the PFAS [~~remediation loan~~] ***response*** fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS [~~remediation loan~~] ***response*** fund shall be used to fund ***departmental duties as outlined in RSA 485-H:8, including*** loans***, grants,*** and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds related to the PFAS [~~remediation loan~~] ***response*** fund shall be credited to the PFAS [~~remediation loan~~] ***response*** fund.

355 Application of Receipts; PFAS Response Fund. Amend RSA 6:12, I(b)(361) to read as follows:

(361) Moneys deposited in the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

356 PFAS Response fund. Amend 2022, 326:10 to read as follows:

326:10 Appropriation; PFAS [~~Remediation Loan~~] ***Response*** Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the PFAS [~~remediation loan~~] ***response*** fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. ***Up to 10 percent of the moneys appropriated under this section may be used to fund the duties of the department outlined in RSA 485-H:8, I.***

357 Effective Date. Sections 361 -367 of this act shall take effect upon its passage.

358 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

III. The department is authorized to solicit funds from [~~the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section~~] ***any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives.*** [~~Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.~~]***Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.***

359 Appropriation; Solid Waste Management Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the solid waste management fund established under

RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

360 Effective Date. Section 359 of this act shall take effect June 30, 2023.

361 State Liquor Stores; Closing of State Stores. Amend RSA 177:2 to read as follows:

177:2 Closing of State Stores.

I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store. The commission shall submit a report of state liquor store closings to the fiscal committee of the general court when store closings occur.

II. In order to properly reflect the operating expenses of each state store, the commission shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the commission. All such expenses of the commission, with the exception of the enforcement and licensing division operating expenses, shall be included in the plan and allocated to all state stores on a consistent, rational basis. No later than [~~30 days following~~] ***3 months prior to*** the closure of any state liquor store, the commission shall submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council for approval.

362 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such

additional justices to preside over cases assigned to the land use review docket, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of appeal. At the structuring conference the court shall set a deadline for the filing with the court of the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of the certified record. The court shall issue a decision on the merits within 60 days of the hearing. The court may extend any of the deadlines established in this paragraph upon agreement of the parties or for other good cause shown, but if the extension is based upon good cause, the court shall articulate in its order granting the extension the specific facts and circumstances that warrant the extension.

363 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and [~~21~~] *22* associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term, he or she may return to the position of associate justice, whether or not an associate justice vacancy then exists.

364 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA 110-B:55, I to read as follows:

I. Fines may be paid to a military court or to an officer executing its process. The amount of any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the same may be collected with lawful costs of collection, as in the case of executions issued in action

founded upon torts. ***Fines collected shall be paid over to the state treasurer and credited to the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.***

365 Department of Military Affairs and Veterans Services; New Hampshire National Guard Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the purpose of encouraging enlistment in the national guard there is hereby established a New Hampshire national guard enlistment incentive program. This program authorizes a cash incentive up to [~~$500~~] ***$1,000*** to current members of the New Hampshire national guard in the pay grades of E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service recruit that they bring into the New Hampshire national guard.

366 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive Program. Amend RSA 110-B:61, I to read as follows:

I. There is hereby established a fund to be known as national guard enlistment incentive program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of encouraging enlistment in the national guard and shall not be used for any other purpose. The adjutant general shall oversee expenditures from the fund. The moneys in the fund shall be ***continually appropriated and*** nonlapsing.

367 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

110-B:62 Oversight and Administration. The adjutant general shall [~~adopt rules pursuant to RSA 541-A relative to~~] ***establish procedures necessary for*** the administration of the enlistment incentive program and relative to its execution by the New Hampshire Army and Air National Guard recruiting offices in coordination with the department of military affairs and veterans services.

368 Department of Military Affairs and Veterans Services; Postsecondary Educational Assistance; Eligibility Determinations. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility Determinations. Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall ***establish*** [~~adopt rules, pursuant to RSA 541-A, and~~] procedures [~~deemed by the adjutant general to be~~] necessary to carry out and monitor the educational assistance provided by this subdivision.

369 Effective Date. Sections 364 - 368 of this act shall take effect 60 days after its passage.

370 Department of Corrections; Division of Personnel and Information; Personnel Management; Recruitment and Retention Program. RSA 21-H:4, V(a) is repealed and reenacted to read as follows:

(a) Personnel management, recruitment, and retention. The department shall develop a program for the recruitment, selection, placement, and retention of qualified applicants for the New Hampshire department of corrections.

(1) The program may include expenditures for recruitment and retention activities and incentives, including but not limited to:

(A) National Corrections Professionals Week recognition activities at all departmental sites to support employee retention, which may include a paid meal for the site during the week, physical awards and gift cards with a value of less than $25 as performance incentives based on departmental policies for employee recognition, and items issued to employees that are within the financial scope of the department's current expense appropriations in expenditure class 020.

(B) Referral fees or bonuses for active employees or newly hired applicants who have not been employed by the state through a policy approved by the commissioner.

(2) Any recruitment or retention incentives received by an employee pursuant to this subparagraph shall not be considered gifts under RSA 15-B.

(3) Referral of applicants by current department employees for the purpose of receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued by the director regarding the referral program shall require that the benefits of the program shall be equally available to all department employees, except as specified in subparagraph (1)(B), and subject to uniform criteria established by the director.

(4) Any expenditures made for recruitment or retention incentives pursuant to this subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

371 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall have discretionary authority to pay burial and wake expenses in an amount not to exceed $10,000 for an employee whose death occurs while on duty with the department of corrections and when the deceased employee's next of kin demonstrates an inability to afford the burial or wake expenses.

372 Appropriation; Department of Safety; Division of State Police. The sum of $1,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the department of safety, division of state police, to develop and implement a system to electronically share an individual's bail condition status with law enforcement. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

373 Effective Date. Section 372 of this act shall take effect June 30, 2023.

374 New Subdivision; Contact Person Notification Program. Amend RSA 106-B by inserting after section 34 the following new subdivision:

Contact Person Notification Program

106-B:35 Definitions. As used in this subdivision:

I. "Contact person notification program" or "program" means the program developed and operated pursuant to this subdivision.

II. "Law enforcement officer" means any state, county, or municipal law enforcement officer.

III. "Participating person" means a person:

(1) Who voluntarily provides to a law enforcement agency contact information for a person or persons to assist with communications and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person; or

(2) Who has a legal guardian under RSA 464-A and for whom the legal guardian provides to a law enforcement agency contact information to assist with communications, and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person.

106-B:36 Contact Person Notification Program.

I. The division of state police shall develop and implement a contact person notification program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. The program shall provide the law enforcement officer with access to contact information for a person that is voluntarily submitted by a participating person or the legal guardian of a participating person. The program shall be capable of interfacing with the state police online telecommunications system (SPOTS).

II. The division of state police shall develop and implement standards of procedure for the operation of the program for law enforcement agencies consistent with policies adopted by the department of safety. The standards shall address processing the application of a participating person or that person's legal guardian, determining the validity of identity and legal guardianship information, entering contact information into the state police online telecommunications system (SPOTS), procedures for a participating person or that person's legal guardian to withdraw from the program, and procedures for a law enforcement officer to access contact information.

375 Appropriation; Department of Safety; Contact Person Notification Program. The sum of $50,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety, division of state police for establishment and administration of the contact person notification program established in RSA 106-B:36. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

376 New Section; Department of Education; Division of Analytics and Resources; New Position; Academic Research and Improvement Performance Data Analyst I. Amend RSA 21-N by inserting after section 7-a the following new section:

21-N:7-b Academic Research and Improvement Performance Data Analyst I. There is established within the division of education analytics and resources the position of academic research and improvement performance data analyst who shall be a classified employee at no less than the level of administrator III. The academic research and improvement performance data analyst shall be qualified to hold such a position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The academic research and improvement performance data analyst shall collect and analyze assessment data to: measure student progress, evaluate program and instructional effectiveness, guide curriculum development and resource allocation, and promote accountability. The position shall also assist educators in the effective use of data to drive and improve education decision-making ensuring that all children learn. The analyst shall support the goal to improve statewide student proficiency and growth using data-driven decision-making: collecting data, analyzing data, reporting data, using data for school improvement, and communicating through data.

377 Appropriation; Department of Education. The sum of $183,551 for the fiscal year ending June 30, 2024, and $182,279 for the fiscal year ending June 30, 2025, are appropriated to the commissioner of the department of education for the position established in RSA 21-N:7-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

378 The sum of $150,000 is hereby appropriated for the fiscal year ending June 30, 2023, to the department of education for the purpose of contracting with the National Student Clearinghouse Student Tracker Program for each public school district in New Hampshire. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

379 Effective Date. Section 378 of this act shall take effect June 30, 2023.

380 Department of Education; Application for Medicaid Direct Certification Program; Public Kindergarten, Elementary, and Secondary Schools. The department of education shall seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). The department of health and human services shall assist the department of education as needed in pursuing and implementing this new direct certification methodology.

381 New Paragraph; Math Learning Communities Program in Public Secondary Schools; Structure. Amend RSA 193-I:2 by inserting after paragraph III the following new paragraph:

IV. The community college system of New Hampshire shall annually submit a report listing the New Hampshire high schools that are partners in the math learning communities program to

the department of education, the house education committee and the senate education committee no later than October 1. The submitted report shall contain, but not be limited to, the total number of students participating in the advanced mathematical foundation and quantitative reasoning courses; the number of summer institute participants; a summary of student achievement and growth using data based upon the Next-Generation Accuplacer (QAS) exam and the SAT math examination; and any other information as determined by the community college system of New Hampshire.

382 Community College System of New Hampshire; Appropriation. The sum of $200,000 for the fiscal year ending June 30, 2024 and the sum of $200,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the community college system of New Hampshire for the purpose of continuing the math learning communities program in partnership with New Hampshire high schools. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

383 Appropriation; Community College System of New Hampshire; Promise Program. The sums of $3,000,000 in the fiscal year ending June 30, 2024, and $3,000,000 in the fiscal year ending June 30, 2025, are hereby appropriated to the community college system of New Hampshire for the New Hampshire promise program for the purpose of supporting access and affordability of postsecondary education for New Hampshire residents. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

384 The sum of $2,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the community college system of New Hampshire to expand workforce credential programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

385 Effective Date. Section 384 of this act shall take effect June 30, 2023.

386 Duties of the Department of Health and Human Services; Review of Rates for Child Day Care Services. For the biennium ending June 30, 2025, the department of health and human services shall review the rates established for the purchase of child day care services on behalf of eligible persons. This review shall consider the effects of the established rates on current costs, quality and availability of services. The commissioner shall adjust child care eligibility to 85 percent of the state median income as defined by the United States Census Bureau. If at any time the commissioner determines that funding is insufficient to provide services to those meeting the eligibility criteria, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

387 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2025, whether there is sufficient funding in account 05-95-42-421110-2977, class

536, to fund employment-related child care services to avoid a wait list and support greater utilization of employment related childcare. If at any time the commissioner determines that funding is insufficient, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistant to Needy Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report quarterly to the fiscal committee of the general court on any funds expended on employment-related child care services, including funds budgeted in account 05-95-42-421110-2977 as well as federal TANF funds authorized by this section.

388 Duties of the Department of Health and Human Services; Child Care Services Reimbursement Rates. For the biennium ending June 30, 2025, the department of health and human services shall set child care services reimbursement rates across all child care programs to match the 75th percentile of market rate survey or allow for rates to be set through an alternative "true cost of care" mechanism to be defined by the department of health and human services. If at any time the commissioner determines that funding is insufficient to set service rates at the 75th percentile, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

389 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed and reenacted to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by general funds or by voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription drug affordability board administration fund, which shall be kept distinct and separate from all other funds. The fund shall be appropriated to and administered by the board. Voluntary contributions under this section shall be deposited in the fund. The board shall use the fund, consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the board. The fund may be used to pay administrative, technical, legal support, or other costs incurred by the board under this chapter. The state treasurer may invest moneys in the fund as provided by law, and all interest received on such investment shall be credited to the fund. The dedicated fund shall be subject to the provisions of RSA 6:12-j.

390 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures; Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and disclosures, confidentiality, and registration by the prescription drug affordability board shall be suspended for the biennium ending June 30, 2025.

391 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties, is repealed.

392 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is repealed and reenacted to read as follows:

VI. The board shall be administratively attached to the department of health and human services. For a limited time, the board may employ an executive director, who shall be an unclassified employee. The executive director shall be appointed by and serve at the pleasure of the board. Said position shall be effective for no more than 2 years following the date of hire of the individual first selected to fill the position. The board may also employ one contracted employee or more, dependent on the availability of funds.

393 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those for consulting services or personal contract services, shall be subject to the competitive bid process. Such contracts shall also be approved by the fiscal committee of the general court, the governor, and the executive council.

126-BB:12 Financial Report. The board shall annually report on any moneys spent by the board, the source of such funds, the purpose of spending such funds, and the progress of any project on which the funds were spent. Such report shall be submitted to the fiscal committee of the general court, the committees having jurisdiction over the board in both the house of representatives and the senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

394 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by inserting after section 67 the following new section:

400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with the prescription drug affordability board established in RSA 126-BB, shall issue a report on the elimination of redundancies related to the collection, analysis, and reporting on prescription drug prices between the two organizations, including proposed legislation on such elimination, with the overarching goal of promoting efficiency and economy. This report shall be submitted to the health and human services oversight committee established in RSA 126-A:13, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 1, 2024.

395 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

396 Effective Date. Section 406 of this act shall take effect October 1, 2024.

397 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of each managed care organization awarded contracts as vendors under the Medicaid managed care program, appointed by the governor.

(6) A representative of a hospital that operates in New Hampshire, appointed by the New Hampshire Hospital Association.

(7) A public member, who has health care expertise, appointed by the senate president.

(8) A public member, who currently receives coverage through the program, appointed by the speaker of the house of representatives.

(9) A public member representing the interests of small businesses in New Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

(10) A representative of the medical care advisory committee, department of health and human services, appointed by the commissioner of the department of health and human services.

(11) A licensed physician, appointed by the New Hampshire Medical Society.

(12) A licensed mental health professional, appointed by the National Alliance on Mental Illness New Hampshire.

(13) A licensed substance use disorder professional, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.

(14) An advanced practice registered nurse (APRN), appointed by the New Hampshire Nurse Practitioner Association.

(15) The chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this commission.

II.(a) The commission shall evaluate the effectiveness and future of the program. Specifically the commission shall:

(1) Review the program's financial metrics.

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to, whether the program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Review up-to-date information regarding changes in the level of uncompensated care through shared information from the department, the department of revenue administration, the insurance department, and provider organizations and the program's impact on insurance premium tax revenues and Medicaid enhancement tax revenue.

(6) Evaluate reimbursement rates to determine if they are sufficient to ensure access to and provider capacity for all behavioral health services.

(7) Review the reasons beneficiaries are not re-enrolled in the program.

(8) Review the program's provider reimbursement rates and overall financing structure to ensure it is able to provide a stable provider network and sustainable funding mechanism that serves patients, communities, and the state of New Hampshire.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

(c) The commission shall meet at least annually.

III. The members of the commission shall elect a chairperson from among the members. Eight members of the commission shall constitute a quorum.

IV. On or before November 1, the commission shall make annual recommendations for any proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor, as appropriate.

398 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed. Amend RSA 176-A:1, III to read as follows:

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3[~~; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund established in RSA 126-AA:3~~].

399 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount [~~of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV and~~] ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

400 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse prevention and treatment fund [~~pursuant to RSA 176-A:1, IV~~] ***in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year***;

401 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

402 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend 2018, 342:25, II to read as follows:

II. Paragraphs III and VII of section 24 of this act shall take effect December 31, [~~2023~~] ***2025***.

403 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

404 Department of Health and Human Services; New Hampshire Granite Advantage Health Care Program; The New Hampshire Granite Advantage Health Care Trust Fund. Amend the introductory paragraph of RSA 126-AA:3, I to read as follows:

I. There is hereby established the New Hampshire granite advantage health care trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. ***The department shall include the cost of the program in its biennial budget***

request under RSA 9:4. The fund shall be administered by the commissioner and shall be used solely to provide coverage for the newly eligible Medicaid population as provided for under RSA 126-AA:2, to pay for the administrative costs for the program, and reimburse the federal government for any over payments of federal funds. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of the fund. The fund shall be authorized to pay and/or reimburse the cost of medical services and cost-effective related services, including without limitation, capitation payments to MCOs. No state general funds shall be deposited into the fund. Deposits into the fund shall be limited exclusively to the following:

405 Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the actual amount of the final agreed contribution from the Foundation for Healthy Communities, anticipated to take place by December 31, 2023.

406 Effective Date.

I. Sections 398 - 400 and 402- 404 of this act shall take effect December 31, 2023.

II. Section 401 of this act shall take effect November 1, 2027.

407 New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA 167:68 by inserting after paragraph III the following new paragraph:

IV.(a) Pursuant to the state option under the section 5113 of the Consolidated Appropriations Act of 2023 to expand maternity care under Medicaid and section 1902(e)(16) of the Social Security Act (42 U.S.C. 1396a(e)), the commissioner of the department of health and human services shall submit, no later than August 15, 2023, a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and implement 12 months of continuous coverage for the entire postpartum period. This benefit shall be available to anyone who received medical assistance under the state plan for all pregnancy-related and postpartum medical assistance available under the state plan through the last day of the month in which the 60-day period (beginning on the last day of her pregnancy) ends, remain eligible under the state plan for medical assistance for the period beginning on the first day occurring after the end of such 60-day period and ending on the last day of the month in which the 12-month period (beginning on the last day of her pregnancy) ends.

(b) The medical assistance provided for a pregnant or postpartum woman under this section shall, consistent with Section 1902(e)(16) include all items and services covered under the state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

(c) The purpose of the program shall be, through ensuring continuous coverage for a 12-month postpartum period, to increase identification and mitigation of preventable pregnancy related and pregnancy associated morbidity and mortality, including those related to substance use disorder and mental illness.

(d) On January 1, 2024, the commissioner shall begin submitting quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's progress in obtaining and implementing the state plan amendment. The quarterly reports shall include the department's plans for reducing administrative burdens for enrollees and the department's efforts to expand access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to subparagraph (a). Reports submitted under this subparagraph shall also be posted on the department's website.

408 Appropriation. The sum of $200,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of expanding postpartum health care services under the state Medicaid plan as provided in this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated.

409 New Section; Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), no later than January 1, 2024, the commissioner of the department of health and human services shall submit to the Centers for Medicare and Medicaid Services (CMS) the state plan amendments required under Medicaid and the Children's Health Insurance Program (CHIP) to expand coverage to otherwise eligible pregnant women and children who are lawfully residing in the United States. The state plan amendments shall elect the option for children up to age 19 and shall elect the option for pregnant women through the postpartum period. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

410 Appropriation: Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. The sum of $336,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding

the state share of the expansion of Medicaid and CHIP to include certain children and pregnant women as provided in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

411 Department of Health and Human Services; Purchase of Scanner. Of the amount appropriated to the department of health and human services in account 05-95-42-421510-6643, Sununu Youth Services Center, for the fiscal year ending June 30, 2024, an amount not to exceed $325,000 shall be used for the purpose of purchasing a full body scanner.

412 Transfer Authority; Sununu Youth Services Center. Notwithstanding RSA 9:16-a or any other law to the contrary, for the biennium ending June 30, 2025, the department of health and human services shall have the authority to transfer between all class lines in account 05-95-42-421510-6643, Sununu Youth Services Center.

413 Declaration of Purpose. New Hampshire voters passed the Right of Privacy into the state constitution in November 2018 with an 81 percent approval. With that vote, state government culture and behavior needed to be shaped by the words, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent". The department of health and human services has been subject to the Health Insurance Portability and Accountability Act since 1996 which drove initial efforts to develop a culture and infrastructure to protect personal data privacy. As a holder of personal information in state government, the department has a responsibility to demonstrate to the public the state's commitment to actively and overtly respect personal privacy, including privacy of personal information. Establishing and maturing a culture of privacy is core to successfully driving future efforts to implement and enhance privacy policies, procedures, and practices. Continuous improvement requires appropriate governance and policy leadership.

414 New Subdivision; Data Privacy and Information Technology Security Governance Board. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:99 Data Privacy and Information Technology Security Governance Board Established. There is hereby established a data privacy and information technology security governance board to oversee the department's use of data, data privacy, and information technology security that shall be maintained by the department of health and human services.

126-A:100 Membership; Quorum.

I. The data privacy and information technology security governance board shall consist of the following members:

(a) The commissioner of the department of health and human services, who shall serve as the governance board chair.

(b) The department's privacy officer.

(c) Three directors of the department who have responsibility for one of the following areas: medicaid services, public health, behavioral health, children, youth and families, or long-term support and services.

(d) The director of the department's bureau of human resource management.

(e) The director of the department's bureau of information services.

(f) The department's chief legal officer.

(g) The commissioner of the department of information technology.

(h) Up to 2 additional voting members appointed by the commissioner of the department of health and human services, if needed.

II. A quorum of this board shall consist of the named positions being in attendance with greater than 50 percent present. Members may delegate authority to represent them for the purposes of maintaining a quorum. The chair of the board may also delegate authority to another appropriate member of the governance board to serve during a specified meeting.

126-A:101 Duties.

I. The data privacy and information technology security governance board shall:

(a) Meet at least 3 times a year and post public facing meeting minutes within 2 weeks of the completion of each meeting on the department's web page.

(b) Become educated in what data governance means, how it will work for the organization, and what it means to embrace data governance and activate enterprise data stewards.

(c) Actively promote improved data governance practices across the department.

(d) Identify and approve of pivotal data governance roles and responsibilities for the department including cross-enterprise domain stewards and coordinators.

(e) Advise, review, and approve the department's data control, governance, and privacy practices in compliance with federal and state law and federal and state information privacy and security policies, with the goal to meet or exceed private market benchmarks for governance, risk management, and compliance.

(f) Drive strategic and timely implementation of a department-wide privacy policy, related procedures and processes to operationalize policy-derived controls, and effective risk management methodologies, including industry standards such as privacy impact assessments and privacy by design.

II. The data privacy and information technology security governance board may solicit information from any person or entity the board deems relevant to its quest.

126-A:102 Risk Management.

I. The department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment (PIA).

II. The assessment and plan shall:

(a) Assess risks to an individual's right to privacy within the department's information technology systems where the individual does not possess immediate control over their information.

(b) Recommend alternatives to both mitigate the risks and achieve the stated objectives of the department's systems.

(c) Identify those individuals and offices within the department who shall be directly accountable for the assessment and plan, the system at the time the assessment and plan are compiled, and any approved alternatives and mitigations as a result of the assessment and plan.

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2024.

IV. The assessment and plan shall be approved and may be acted upon by the commissioner. All assessments and plans conducted before the date of the next data privacy and information technology security governance board meeting shall be submitted to the board for review.

415 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be information technology manager IV, labor grade 32, step 7.

IV. The sum of $300,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

V. The department is authorized to use contract support available from funds prior to July 1, 2024.

416 Findings. The general court finds that given the statistically significant excess in the number of cases of kidney cancer in Merrimack, New Hampshire found by the department of health and human services, the known detection of environmental contaminants that have been associated with kidney cancer, and a trend of increasing incidence of kidney cancer over time, the department

recommends that a feasibility study as determined by the New Hampshire Cancer Concern Investigation Protocol, Phase 3 be conducted. The general court further finds that a Phase 3 feasibility study would determine if an epidemiological study (Phase 4) is warranted and would identify appropriate cancers and health outcomes for inclusion in such study.

417 Appropriation; Department of Health and Humans Services; Phase 3 Feasibility Study.

I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025, to the department of health and human services to enter into a contract with an academic or research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study for the town of Merrimack to further understand potential exposures that may contribute to the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such funds shall be nonlapsing and appropriated to the department for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. In order to provide funding for said appropriation, and subject to prior review by the joint legislative oversight committee on health and human services established in RSA 126-A:13, the department shall first use any available grant funding or any other non-state funds which may be used for this purpose.

418 General Fund Transfer to Highway Fund. The sum of $10,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the highway fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

419 Effective Date. Section 418 of this act shall take effect June 30, 2023.

420 Purpose Statement. The general court finds that people and animals accessing lakes and rivers across the state have been impacted by cyanobacteria blooms, which pose a threat of acute and chronic illnesses from the toxins they release. Many of these blooms have been triggered by phosphorus loading from direct run-off, poor culvert design, inefficient or failed septic systems, internal loading of phosphorus, among other causes. The cost of designing, installing and repairing mitigation systems or projects for many communities, watershed management associations, and lake associations, would result in dramatically higher property taxes or would take many years of fundraising and delay projects exacerbating the problem. The mitigation of contributors to cyanobacteria blooms requires a strategy to protect, preserve, and enhance the water quality that New Hampshire citizens and the natural environment depend upon.

421 New Subdivision; Cyanobacteria Mitigation Loan Program. Amend RSA 485-A by inserting after section 57 the following new subdivision:

Cyanobacteria Mitigation Loan Program

485-A:58 Establishment and Implementation of Cyanobacteria Mitigation Loan Program.

I. There is established in the department of environmental services the cyanobacteria mitigation loan program. The program shall provide low interest loans to:

(a) Municipalities, community water systems and non-profit lake and river watershed associations whose testing shows confirmed and chronic exceedances of the state health advisory for cyanobacteria, for remediation efforts begun after September 30, 2023.

(b) Publicly-owned and non-profit lake or river watershed associations that have a watershed management plan which specifies sources of phosphorus loading approved by the department of environmental services.

II. Projects shall only be financed after the applicant's proposed mitigation plan or watershed management plan demonstrates that the such plan is the most cost-effective solution, as reviewed and approved by the department of environmental services. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts that would result in a substantial decrease in external phosphorus loading. The applicant shall also show that there is no responsible party identified by department of environmental services or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

III. Loans or grants may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

IV. The cyanobacteria mitigation program shall forgive up to 10 percent of the loan principal to community water systems, publicly owned or non-profit lake or river watershed associations using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

V. Total loan forgiveness under this section shall not exceed $1,000,000 in a fiscal year.

485-A:59 Duties.

I. The department of environmental services shall:

(a) Administer the cyanobacteria mitigation loan and grant program to assist municipalities; community and non-profit, lake and river watershed association; with the cost of reducing the number of chronic and extended cyanobacteria bloom that the department considers to be a threat to long term health of water bodies. For purposes of this subparagraph, administration includes oversight of the grant or loan expenditures to ensure they are not misused.

(b) Administer a loan forgiveness program to assist municipalities, community, and non-profit, lake and river watershed association with loan repayment.

(c) Award loan or grant funds to projects that meet the following criteria:

(1) The project is or was necessary to reduce phosphorus loading identified in an accepted watershed management plan and the applicant for funding is a municipality, a community water system, or a non-profit, lake or river watershed association.

(2) The applicant has demonstrated, to the satisfaction of the department, that low or no-cost solutions are neither viable nor effective.

(d) Award reimbursements to projects from the fund in a manner consistent with this chapter.

II. Every year beginning December 1, 2024, the department of environmental services shall prepare and file a report with the general court evaluating the progress made relative to mitigating cyanobacteria blooms, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the fund could be used to address cyanobacteria blooms.

485-A:60 Rules. The department of environmental services shall adopt rules, under RSA 541-A, relative to administering cyanobacteria loan and grant programs for eligible projects.

485-A:61 Cyanobacteria Mitigation Loan and Grant Fund Established. There is hereby established in the department of environmental services the cyanobacteria mitigation loan and grant fund which shall be maintained by the state treasurer in distinct and separate custody from all other funds. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services. The cyanobacteria mitigation loan and grant fund shall be used to fund loans, grants, and reimbursements in accordance with this subdivision. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds shall be credited to this fund.

422 New Subparagraph; Cyanobacteria Mitigation Loan and Grant Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the cyanobacteria mitigation loan and grant fund established in RSA 485-A:61.

423 Appropriation; Department of Environmental Services. The sum of $1 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of environmental services for deposit into the mycobacteria mitigation loan and grant fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

424 School Building Aid; Grants for School Construction; Chartered Public Schools; Requirements Added. Amend RSA 198:15-a, I and II to read as follows:

I. To aid local school districts ***and chartered public schools under RSA 194-B*** in meeting the costs of school buildings, the department of education shall, from funds appropriated by the general court to carry out the provisions of this subdivision, pay to the school districts ***and chartered public schools*** of the state, sums in accordance with the provisions of this subdivision, ***RSA 198:15-b, I(a)(2)(C)*** or the alternative school building aid provisions under RSA 198:15-u through RSA 198:15-w.

II. Beginning with construction authorized by a local school district ***or chartered public school*** on or after July 1, 2013, office facilities for school administrative units and the purchase or lease-purchase of temporary space for any purpose, including but not limited to modulars, trailers, or other similar structures to be used as classroom, office, or storage space shall not be eligible for school building aid grants.

II-a. Any chartered public school building to be improved or constructed using school building aid shall be owned by the chartered public school and shall be subject to a plan for the disposition of the chartered public school's assets, pursuant to RSA 194-B:3, II(z), as approved by the state board of education.

425 Amount of Grant; Criteria for Chartered Public Schools. Amend RSA 198:15-b, I(a)(2)(A)-(C) to read as follows:

(2)(A) For construction authorized by a school district after July 1, 2013, school building aid grants for new construction shall not exceed the state appropriation for school building aid for the fiscal year, less any debt service payments due and owing in the fiscal year for construction or renovation projects approved in a prior fiscal year, less the amount owed for construction or renovation projects approved prior to July 1, 2013 in accordance with subparagraph (a)(1), unless otherwise provided by an act of the general court. School building aid grants approved pursuant to RSA 198:15-u through RSA 198:15-w ***or pursuant to subparagraph (2)(C)***, shall be disbursed to school districts ***and chartered public schools*** pursuant to this subparagraph and no state bonds shall be authorized or issued for the purpose of funding school building aid grants. The amount of the grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be calculated based on the criteria set forth in RSA 198:15-v.

(B) The state board of education shall approve the disbursement of 80 percent of the eligible grant amount upon approval of the application for school building aid grants by the state board of education, and shall disburse the balance of the grant amount upon completion of the construction and verification of the final cost of construction by the department of education. ***For chartered public school construction projects, the amount of the annual grant to any chartered public school shall be a sum equal to 5 percent of the eligible grant amount each year for 20 years upon approval of the application for school building aid grants by the state board of education. Not more than 10 percent of the eligible grant amount shall be disbursed until the construction and verification of the final cost of construction have been made by the department of education.***

(C) The amount of the grant to any chartered public school established in accordance with RSA 194-B:3-a shall be 30 percent of the eligible cost of construction.

426 Building Aid; Use of Land, Buildings, or Facilities. Amend RSA 198:15-b, I(b)(1) and (2) to read as follows:

(1) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, ***a chartered public school,*** or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall have first priority in the use of such land, buildings, or facilities for 10 years or the life of any bond or note issued to provide funds for such land, buildings, or facilities, whichever is greater.

(2) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, ***a chartered public school,*** or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall submit, when applying for aid under this chapter, the least costly building plan based on a 20-year life cycle cost analysis that meets minimum state building standards in this chapter along with any alternative plans that may be proposed.

427 Maintenance Plan. Amend the introductory paragraph of RSA 198:15-b, I-a(a) to read as follows:

I-a.(a) In addition to the requirements of paragraph I, each school district ***or chartered public school***, prior to receipt of any grant moneys, shall submit for review and approval a written maintenance plan describing in detail how the school district intends to maintain the new facilities to be constructed with state aid grant moneys. The required maintenance plan shall include, but not be limited to, the following information:

428 Equipment Assurance. Amend RSA 198:15-b, I-a(k) to read as follows:

(k) A statement of assurance, signed by the chair of the school board ***or the chair of the board of trustees of the chartered public school,*** which indicates that the district ***or chartered public school*** intends to maintain and service all installed equipment according to the manufacturer's instructions.

429 Department of Education; Construction Proposal Criteria. Amend RSA 198:15-c, II(b)(5) and (6) to read as follows:

(5) Whether a school district ***or chartered public school*** has made a reasonable attempt to accommodate maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations, enhancements to buildings, and preventive maintenance necessary to achieve the design life expectancy of building systems and components. School districts ***and chartered public schools*** shall be required to provide maintenance records and other

documentation, if necessary, concerning maintenance program activities for scheduled and unscheduled repairs, upkeep, minor alterations, and enhancements of district buildings.

(6) A school district's ***or chartered public school's*** fiscal capacity based on measurable criteria such as the percentage of pupils eligible for free and reduced price meals.

430 Project Resubmission. Amend RSA 198:15-c, II(c) to read as follows:

(c) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, ***a chartered public school,*** or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, with projects for which there is insufficient state grant funding may resubmit those projects to the department pursuant to the provisions of this section.

431 Project Manager. Amend RSA 198:15-b, IV to read as follows:

IV. A school district ***or chartered public school*** that accepts school building aid for construction shall engage the services of a project manager for construction or reconstruction projects of $1,000,000 or more, unless the commissioner waives such requirement as unnecessary. The school district's ***or chartered public school's*** project manager shall have his or her own comprehensive liability and auto insurance, worker's compensation coverage, and professional liability coverage. The state board of education shall adopt rules pursuant to RSA 541-A relative to the required services, responsibilities, and qualifications for the [~~school district's~~] project manager.

432 Time of Computation of Grant. Amend RSA 198:15-d to read as follows:

198:15-d Time of Computation of Grant. As of January 1 in each year, the department of education shall cause to be computed the amount of the annual grants for school building aid to be paid to eligible school districts ***and chartered public schools*** in the succeeding fiscal year. The computation shall be based upon the total of eligible costs of construction of school buildings approved by the ***chartered public school or the*** legislative body of the school district and the department of education for which loans are outstanding in each school district for the fiscal year in which the computations are made.

433 Repeal. RSA 194-B:11, VII, relative to the prohibition on chartered public schools receiving school building aid, is repealed.

434 Schools; Food and Nutrition Programs; School Lunch Eligibility. Amend RSA 189:11-a, I to read as follows:

I.(a) Each school board shall make at least one meal available during school hours to every pupil under its jurisdiction. Such meals shall be served without cost [~~or at a reduced cost to any child who meets federal income eligibility guidelines~~] ***to any child whose annual household income is less than or equal to 300 percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2).*** The state board of education shall ensure compliance

with this section and shall establish minimum nutritional standards for such meals as well as income guidelines set for the family size used in determining eligibility for free and reduced price meals. Nothing in this section shall prohibit the operation of both a breakfast and lunch program in the same school.

(b) All costs for the school meals program under subparagraph (a) in addition to sums allocated under RSA 186:13, XI, shall be funded by disbursements from the department of education to the school districts subject to the availability of funds appropriated for such purpose in the state operating budget.

435 Contingency. If HB 572 of the 2023 regular legislative session becomes law, section 445 of this act shall take effect at 12:01 a.m. on September 1, 2023. If HB 572 of the 2023 regular legislative session does not become law, section 434 of this act shall not take effect.

436 Youth Detention Center; Construction Funds. Notwithstanding any other act of the legislature or law to the contrary, any secured treatment facility constructed to replace the current Sununu Youth Services Center shall be funded entirely with federal discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which have previously been allocated by the governor but which have not been expended. No state general funds shall be appropriated for the purpose of constructing the replacement facility.

437 Department of Health and Human Services; Family Resource Centers; Appropriation. There is hereby appropriated to the department of health and human services the sums of $1,000,000 for the state fiscal year ending June 30, 2024; and $1,000,000 for the state fiscal year ending June 30, 2025, to support family resource center (FRC) infrastructure. The appropriation shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds shall include, but not be limited to, better serving families, preparing for FRC-Q designation, enhancing coordination with other early childhood systems, and supporting evidence-based programs such as home visiting programs, ACERT, and community collaborations. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

438 Department of Health and Human Services; System of Care; Appropriation. There is hereby appropriated to the department of health and human services the sum of $5,000,000 for the biennium ending June 30, 2025, to support residential treatment provider rates as a component of the system of care. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

439 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend RSA 4:45, I and II to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made

disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

(a) Nature of the emergency;

(b) Political subdivisions or geographic areas subject to the declaration;

(c) Conditions that have brought about the emergency; and

(d) Duration of the state of emergency, if ***declared by the governor and*** less than 21 days, ***or if declared by the general court and less than 90 days.***

II.(a) A state of emergency shall terminate automatically 21 days after its declaration ***if declared by the governor, or 90 days after its declaration if declared by the general court,*** unless it is renewed under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency [~~as many times as~~] ***no more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the inhabitants of this state. ***The general court may, by concurrent resolution, renew a declaration of a state of emergency as many times as it finds is necessary to protect the safety and welfare of the inhabitants of this state.***

(b) If the governor finds that maintaining the state of emergency is no longer justified, the governor shall issue an executive order terminating the state of emergency.

(c) The legislature may terminate a state of emergency or any emergency order issued thereunder by a [~~majority vote of both the senate and the house of representatives~~] ***concurrent resolution adopted by a majority vote of each chamber***. A majority for this vote shall consist of a majority of members present and voting in each chamber acting separately. A state of emergency shall terminate upon a [~~majority vote of both chambers~~] ***concurrent resolution adopted by a majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

~~[(d) Ninety days from the date of declaration of a state of emergency, and every 90 days thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire constitution, and address a joint session of the general court, and shall provide a written copy of the address to all members of both chambers within 5 business days. At such joint session, the legislature shall vote on whether to terminate the state of emergency by concurrent resolution adopted by a simple majority of both chambers acting separately on the following question: "Shall~~

~~the current state of emergency be terminated?" For purposes of this section, "simple majority" means a majority of members present and voting "yea" in both chambers.~~]

440 Amend Effective Date; Licensed Historic Horse Racing Facilities. Amend 2021, 66:11, I to read as follows:

I. Section 10 of this act shall take effect July 1, [~~2024~~] ***2029.***

441 New Section; Immigration Checkpoints. Amend RSA 265 by inserting after section 1-c the following new section:

265:1-d Immigration Checkpoints. When any state, county, or municipal police department or law enforcement agency is informed by a federal agency of intent to conduct an immigration checkpoint, the department or agency shall give notice to the public within 24 hours of when the checkpoint is scheduled to occur or as soon as is practical. The notice shall disclose, if known, the date, municipality, and geographical area in which the checkpoint will occur. Notice to the public shall be provided by using various media resources available, which may include publishing this information on the government agency's website and on social media, or the use of press conferences, press releases, radio and television coverage, posters, and flyers.

442 Effective Date. Section 441 of this act take effect upon its passage.

443 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2023.

LBA
23-1064
Amended 4/17/23

HB 2-FN-A-LOCAL- FISCAL NOTE
AS AMENDED BY THE HOUSE

AN ACT relative to state fees, funds, revenues, and expenditures.

FISCAL IMPACT: [X] State [X] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	See Below	See Below	See Below
Revenue	$0	See Below	See Below	See Below
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General [X] Education Various Government Funds		[X] Highway	[X] Other -

COUNTY:

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

LOCAL:

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

METHODOLOGY:

The Office of Legislative Budget Assistant indicates this bill, also known as the budget trailer bill, contains various provisions which will accompany the FY 2024-2025 operating budget as contained in HB 1 throughout the Legislative session. Although some sections have a clear fiscal impact, such as those with appropriations, some sections have a fiscal impact that cannot be determined with any level of precision, while others will have no fiscal impact. As a result, it is difficult to determine the overall impact of HB2 on state, county, and local revenues or expenditures when considered in its totality.

The contents of the bill will evolve during the Legislative budget process as sections are amended, deleted, and added. Throughout this process, the Office of Legislative Budget Assistant prepares summaries and posts all budget documents on their website (www.gencourt.state.nh.us/lba/budget/fy2024_2025_budget.aspx). The Surplus Statements contained on their website provide the best summary of the fiscal impact of the budget trailer bill provisions on state general, highway and fish and game funds.

As amended by the House, HB 2 contains the following revenue impacts to the base revenue estimates provided by the House Ways and Means Committee in HR 17:

Revenue Impact (in thousands)	FY 2024	FY 2025
General Fund	$217,000	$199,350
Education Trust Fund	($223,100)	($224,850)
Total Revenue Impact	($6,100)	($25,500)

As amended by the House, HB 2 contains various appropriations totaling by fund as follows:

Appropriations (in thousands)	FY 2023	FY 2024	FY 2025
General Funds	$222,882	$170,340	$182,801
Education Trust Fund	$0	($10,000)	($10,000)
Highway Fund	$0	$9,262	$11,300
Fish & Game Fund	$0	$875	$1,067
Other Funds	$0	$29,815	$36,374
Federal Funds	$0	$16,702	$20,377
Total Appropriations	$222,882	$216,994	$241,919

AGENCIES CONTACTED:

None

LBA
23-1064
Amended 4/17/23

HB 2-FN-A-LOCAL FISCAL NOTE
AS AMENDED BY THE HOUSE

AN ACT relative to state fees, funds, revenues, and expenditures.

FISCAL IMPACT: [X] State [X] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	See Below	See Below	See Below
Revenue	$0	See Below	See Below	See Below
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General [X] Education [X] Highway [X] Other - Various Government Funds			

COUNTY:

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

LOCAL:

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

METHODOLOGY:

The Office of Legislative Budget Assistant indicates this bill, also known as the budget trailer bill, contains various provisions which will accompany the FY 2024-2025 operating budget as contained in HB 1 throughout the Legislative session. Although some sections have a clear fiscal impact, such as those with appropriations, some sections have a fiscal impact that cannot be determined with any level of precision, while others will have no fiscal impact. As a result, it is difficult to determine the overall impact of HB2 on state, county, and local revenues or expenditures when considered in its totality.

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Federal Funds	$0	$16,702	$20,377
Total Appropriations	$222,882	$216,994	$241,919

AGENCIES CONTACTED:

None

6Apr2023... 1247h
6Apr2023... 1336h
6Apr2023... 1299h
6Apr2023... 1292h
6Apr2023... 1272h
6Apr2023... 1295h
6Apr2023... 1328h
6Apr2023... 1288h
06/07/2023 2076s
06/07/2023 2092s
06/07/2023 2139s
06/07/2023 2140s
06/07/2023 2171s

2023 SESSION

23-1064
10/05

HOUSE BILL ***2-FN-A-LOCAL***

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Weyler, Rock. 14

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Provides for optional retirement system membership for employees of the community college system of New Hampshire hired on or after July 1, 2023.

5. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

6. Authorizes the liquor commission to transfer funds for its employee incentive program.

7. Establishes new, unclassified positions within the department of corrections.

8. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system and removes the position of professional standards director from the department of corrections.

9. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

10. Makes certain organizational changes to the office of the commissioner of the department of environmental services.

11. Alters the hearing processes for the councils within the department of environmental services and establishes a committee to study such processes to identify areas within which to promote efficiency.

12. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resource fund.

13. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

14. Modifies the wastewater plant operator certification fund to be continuously appropriated.

15. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

16. Clarifies the chargeable area for fees associated with terrain alternative disturbances.

17. Removes certain limitations to the Winnipesaukee River basin control program.

18. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

19. Establishes the InvestNH Program and makes an appropriation for this purpose.

20. Makes an appropriation for the affordable housing fund.

21. Repeals statutes related to the advanced manufacturing education advisory council, membership and terms, duties, and the advanced manufacturing education fund.

22. Creates the establishment of the bridges house special account.

23. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

24. Makes an appropriation for the department of corrections IT infrastructure

25. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

26. Makes an appropriation to the department of administrative services for the acquisition of land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire, conditioned upon the prior successful closing of a sale of the former Laconia state school campus property.

27. Makes an appropriation for the body-worn and dashboard camera fund.

28. Authorizes the Christa McAuliffe memorial and makes an appropriation therefor.

29. Establishes a commission on New Hampshire civics and makes an appropriation to the department of education and commission for the purpose of funding a New Hampshire civics textbook.

30. Establishes a program in the department of education to provide stipends and grants to students to reduce financial barriers to entering the educator workforce.

31. Requires the board of tax and land appeals to have at least one member of the board be an attorney admitted to practice in New Hampshire.

32. Establishes a retirement benefits commission.

33. Makes an appropriation to the office of the child advocate for the purpose of enhancing the case management system.

34. Makes an appropriation to the department of business and economic affairs for the New Hampshire pulp and paper manufacture industry stabilization grant program.

35. Extends the repeal date for the division of personnel's program for recruitment and retention.

36. Makes an appropriation to the university system of New Hampshire for allocation to Keene state college and Plymouth state university.

37. Establishing the position of computer science administrator, the computer science educator program, and making an appropriation therefor.

38. Makes an appropriation to the public school infrastructure fund.

39. Moves the repeal of the interest and dividends tax from 2027 to 2025.

40. Redirects workers' compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.

41. Alters the nomination process to the labor commissioner penalty appeal board.

42. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

43. Alters the composition of the workers' compensation appeal board.

44. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

45. Creates an over-length, over-width, over-height, and over-weight revolving fund credited to the department of transportation.

46. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

47. Exempts department of transportation impacts associated with maintenance projects within existing rights of way and/or permanent easements to certain hearing, mitigation, and notification requirements under certain wetlands provisions.

48. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

49. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

50. Alters the process of the development of the statewide transportation improvement program plan.

51. Alters the process to claim assets which have escheated to the state.

52. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

53. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

54. Directs the department of energy to support offshore wind initiatives.

55. Changes the dates required to submit reports to the department of energy.

56. Increases staff and expenditures at the department of energy.

57. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

58. Enables the commissioner of the department of energy to appoint a general counsel.

59. Changes the statutory fee for record requests from the division of motor vehicles.

60. Allows certain emergency medical care providers to administer Naloxone.

61. Reduces the appropriations to the department of education for education freedom accounts.

62. Changes the distribution schedule from the education trust fund.

63. Defines episode of treatment in court-ordered placement of children and addresses department of education payment for placement for an episode of treatment.

64. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport and to the Winnisquam Regional CTE project.

65. Revises the formula for calculating adequate education grants and increases the amount of such funding.

66. Increases chartered public school funding.

67. Repeals the grade 3 statewide education improvement and assessment program data.

68. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

69. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

70. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

71. Changes the name of the department of administrative services state budget director to the state budget officer.

72. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

73. Makes an appropriation to the department of administrative services for technology upgrades.

74. Revises the duties and authority of the state commission on aging.

75. Establishes the salary schedule applicable to certain corrections officers.

76. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

77. Establishes salaries and salary schedules for certain state officers and unclassified employees.

78. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

79. Makes an appropriation to the department of health and human services for the Choose Love Program.

80. Allows the department of health and human services to fill unfunded positions.

81. Makes an appropriation to the foster grandparent's program.

82. Makes an appropriation to the congregate housing and services program.

83. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.

84. Suspends the provision of direct and indirect graduate medical education payments to hospitals.

85. Suspends catastrophic aid payments to hospitals.

86. Allows for additional funding for Medicaid to schools.

87. Requires submission of health facility plans to the division of fire safety.

88. Moves the health care workplace violence protection program from the department of health and human services to the department of labor, and makes an appropriation to the department of labor to hire a program specialist.

89. Establishes unclassified positions in the department of health and human services.

90. Limitations on reimbursement of county funds.

91. Makes appropriations to the department of health and human services for programs and systems.

92. Makes appropriations to the department of health and human services for Medicaid provider rate increases.

93. Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

94. Revises the workforce development program administration.

95. Reclassifies and renames positions in the department of justice to unclassified.

96. Establishes a handling charge for the division of charitable trusts.

97. Makes certain changes to the administration of programs within the department of justice.

98. Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

99. Increases the business finance authority unified contingent credit limit.

100. Appropriates from the education trust fund to the department of education for the purpose of providing kindergarten adequate education grants.

101. Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state's occupational regulatory boards and commissions.

102. Grants a $500 additional retirement allowance in 2023 to be paid to eligible retired members or beneficiaries. The cost of the additional allowance is paid from the state general fund.

103. Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.

104. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

105. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

106. Authorizes the governor to draw a warrant to supplement the department of revenue administration's revenue information management system's bond principal and interest payments.

107. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

108. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

109. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

110. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

111. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

112. Modifies the department of military affairs and veterans services administration of certain fines and programs.

113. Directs the department of corrections to establish and administer an employee recruitment and retention program.

114. Allows the department of corrections to pay certain burial expenses of employees.

115. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

116. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

117. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.

118. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

119. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

120. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

121. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

122. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

123. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

124. Reestablishes the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program and extends the New Hampshire granite advantage health care program.

125. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

126. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

127. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

128. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk

mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

129. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

130. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

131. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

132. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

133. Makes appropriations to the department of health and human services to support family resource

134. Establishes a committee to study the impact of alterations to the eligibility of free and reduced-price school meals.

135. Appropriates money to the department of administrative services for the purpose of moving and fit up costs for state agencies.

136. Authorizes the purchase of land for the construction of a new seventh circuit court facility in Rochester and authorizes the sale of the old seventh circuit property upon the completion of a new facility.

137. Adjusts the source from which the department of health and human services provides reimbursement to the salary adjustment fund for certain salary review.

138. Makes an appropriation to the department of state for certain software updates and high speed scanners enabling additional Accuvote audits.

139. Provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

140. Establishes a New Hampshire housing champion designation program, including a housing production municipal grant program, and a housing infrastructure municipal grant and loan program.

141. Establishes positions within the department of business and economic affairs and makes an appropriation for the program fund.

142. Establishes a commission to study tourism and hospitality in New Hampshire.

143. Directs the deposit of liquor commission revenue into the alcohol abuse prevention and treatment fund.

144. Makes an appropriation to the liquor commission for the purchase of handheld personal computers for use at retail stores.

145. Establishes a surcharge on annual registration for electric and plug-in hybrid electric vehicles.

146. Eliminates the cap on the number of auxiliary state police force members.

147. Creates the northern border alliance program.

148. Modifies the authority and duties of police employees acting within 25 air miles of the border with Canada.

149. Modifies New Hampshire state trooper differential pay.

150. Makes an appropriation to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters.

151. Increases the limit on the DOJ consumer protection escrow account.

152. Expands consumer protection and antitrust bureau duties.

153. Revises criteria and procedures for settlement of claims arising from detention at the youth development center.

154. Establishes the health care consumer protection trust fund and health care consumer protection advisory commission.

155. Makes an appropriation to the department of justice to fund human trafficking prevention efforts.

156. Makes an appropriation to the department of justice for the purpose of funding the New Hampshire child advocacy centers.

157. Makes an appropriation to the internet crimes against children fund to support the work of the Internet Crimes Against Children Task Force.

158. Makes an appropriation to the police standards and training council for funding a court security officer training program and related part-time positions.

159. Makes appropriations to the judicial council to fund increase contract costs for the public defender program and for contract counsel and requires the judicial council to submit a report to the fiscal committee of the general court detailing its use of these funds.

160. Increases the cap on the cost of drug court or alternative drug offender programs offered by judicial districts based on county size.

161. Directs the fish and game department to enable online payment of OHRV and snowmobile initial and renewal registration fees by September 1, 2025.

162. Makes an appropriation to the fish and game fund.

163. Adds limitations on grants-in-aid for OHRV trails administered by the department of natural and cultural resources, bureau of trails.

164. Makes an appropriation to the department of natural and cultural resources to conduct a feasibility study on improving accessibility for people with disabilities to Hampton Beach State Park.

165. Makes an appropriation to the department of natural and cultural resources to renovate and repair the Northwood Meadows Lake Dam.

166. Makes an appropriation to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain.

167. Makes an appropriation to the department of environmental services for wastewater infrastructure projects for the biennium ending June 30, 2027.

168. Makes an appropriation to the department of environmental services for the purpose of funding a new drinking water transmission main between Nashua and Litchfield.

169. Modifies the department of environmental services pollution prevention coordinator position.

170. Makes appropriations to the department of environmental services and the department of energy to support offshore wind energy development.

171. Appropriates $10,000,000 to the department of transportation for municipal bridges, and $10,000,000 to the department of transportation for additional "Apportionment A" local highway distributions.

172. Makes an appropriation to the department of transportation to fund a state operating match that enables rural and urban transit agencies to access additional federal funds.

173. Makes an appropriation for department of transportation for the purpose of vehicle and equipment replacements.

174. Makes an appropriation to the department of transportation to support the Eastern Slopes Regional Airport.

175. Provides for suspension of E-Z pass registration for unpaid tolls in other states.

176. Directs the department of health and human services to develop a public awareness campaign on brain health, Alzheimer's disease, and related dementias and makes an appropriation to the department for this purpose.

177. Makes an appropriation to the department of health and human services and establishes grant guidelines for the purpose of child care agency recruitment and retention.

178. Modifies the child care scholarship program by eliminating parent cost-sharing for families at or below 100 percent of the federal poverty level and establishes a reduced cost share for families between 100 and 138 percent of the federal poverty level.

179. Makes an appropriation to the department of health and human services for an audit of the integrated eligibility system.

180. Extends existing grants to, and makes an appropriation for, juvenile diversion services within the department of health and human services.

181. Funds public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under certain federal programs.

182. Directs the department of health and human services to submit a report relative to implementing area health education centers and advanced training programs for rural health and primary care personnel.

183. Extends the nonlapsing timeframe of the transitional housing beds appropriation made to the department of health and human services in 2021.

184. Extends appropriations for the developmental services pilot program plan through fiscal year 2025.

185. Makes an appropriation to the department of health and human services for the purpose of helping family mutual support providers keep pace with the cost of service provision.

186. Makes an appropriation to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program.

187. Amends an appropriation to the department of health and human services for hospital care coordination, and establishes positions for such purpose.

188. Makes and appropriation for funding juvenile peer-to-peer grief support programming.

189. Makes an appropriation to the department of health and human services for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continuing education.

190. Makes an appropriation to the department of health and human services for the purpose of Granite United Way administering the recovery friendly workplace initiative.

191. Re-establishes the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program.

192. Makes appropriations to the department of health and human services to fund homeless and housing shelter programs.

193. Adds an exception from the moratorium on certain nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility capacity.

194. Expands the state's systems of care for healthy aging, increases access to home and community-based services, establishes person-centered counseling programs through aging and disability resource centers, and makes appropriations to the department of health and human services for these purposes.

195. Directs the department of health and human services, the housing finance authority, New Hampshire employment security, and the department of energy to study the creation, funding, and implementation of graduated public assistance programs to complement existing programs within the state, and appropriates funds to the department of health and human services.

196. Establishes a commission to study charitable gaming and the impact of historical horse racing on revenues for charities, and appropriates $150,000 to the lottery commission for such purposes and amends the moratorium on historic horse racing.

197. Modifies eligibility criteria for tuition waivers for children in guardianships after being in state foster care.

198. Establishes a first responder career development, recruitment, and retention program in the community college system, and makes an appropriation for the program.

199. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

200. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

201. Removes the campaign contribution limit under RSA 664:4 for a candidate or candidate committee.

202. Authorizes the joint legislative historical committee to accept a gift of a portrait of Rogers Johnson and hang this portrait in the state house.

203. Establishes the early childhood mental health consultation pilot program and makes an appropriation therefor.

204. Makes an appropriation to the department of education for grants to adult education programs.

205. Revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.

206. Makes an appropriation to the department of education for the purpose of establishing an incentive grant program to encourage transportation of students in career and technical education programs

207. Requires a law enforcement agency to provide public notice of an immigration checkpoint.

208. Makes an appropriation to the department of education to perform the statutory duties related to the children's system of care system of care under RSA 135-F:5.

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.

23-1064
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to state fees, funds, revenues, and expenditures.

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

1 Department of Information Technology; Divisions Established. Amend RSA 21-R:5 to read as follows:

21-R:5 Divisions Established. The commissioner shall establish 4 divisions, ***business relationship management, user experience, infrastructure and operations, and user services,*** which shall be in alignment with the department's statewide strategic plan. Each division shall be under the supervision of a division director appointed pursuant to RSA 21-R:3.

2 Department of Information Technology; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of information technology may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditures for such positions shall not exceed the amount appropriated for personnel services.

3 Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:26 to read as follows:

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

4 Regional Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:27, II to read as follows:

II. A student in the program shall be provided funding for enrollment in no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 10, no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 11, and no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 12. A student may take more than [~~2~~] ***4*** dual or concurrent enrollment courses per year at his or her own expense.

5 Dual and Concurrent Enrollment Program; Appropriation. The sums of $2,500,000 for the fiscal year ending June 30, 2024, and $2,500,000 for the fiscal year ending June 30, 2025, are hereby appropriated to the community college system of New Hampshire for the purpose of providing scholarships and program support for the dual and concurrent enrollment program under RSA 188-

E:26. These appropriations shall be in addition to any other funds appropriated to the community college system of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said appropriations shall not lapse.

6 Community College System of New Hampshire; Employment; Benefits; Retirement System Status. Amend RSA 188-F:7, I and II to read as follows:

I. Any changes to the conditions of employment, compensation, and benefits of community college system of New Hampshire employees covered by collective bargaining agreements shall be negotiated through the collective bargaining process, ***except that community college system employees covered by collective bargaining agreements hired on or after July 1, 2023 shall have the option of membership in the retirement system pursuant to RSA 100-A or a defined contribution plan as designated by the board of trustees.***

II. The community college system of New Hampshire shall[~~, as of the effective date of this section,~~] be considered an employer for the purposes of RSA 100-A:1, IV. Full-time employees of the community college system of New Hampshire [~~as of the effective date of this section~~] ***who are active retirement system members or who elect membership in the retirement system*** shall be considered employees for the purposes of RSA 100-A:1, V.

7 New Hampshire Retirement System; Definitions; Employee. Amend RSA 100-A:1, V to read as follows:

V. "Employee" shall mean any regular classified, nonclassified, or unclassified officer or employee of the state or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer, or employees of the general court who work on a full-time basis and are eligible for other state benefits, but whose salary is calculated on a per diem basis, or any employee of the retirement system, or any full-time employee of the community college system of New Hampshire ***who is an active retirement system member or who elects membership in the retirement system***, or of any of the groups authorized to participate under this chapter but excluding any person who is a teacher, permanent policeman, or permanent fireman as defined in this section, or who is a member or attache of the general court or member of the executive council.

8 Appropriation; University System of New Hampshire; Whittemore Center Arena. There is hereby appropriated to the University of New Hampshire the sum of $6,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, and shall be expended for the purpose of renovating and expanding the Whittemore Center Arena. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Effective Date. Section 8 of this act shall take effect June 30, 2023.

10 New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive Program. Amend RSA 176:16 by inserting after paragraph V the following new paragraph:

VI. The commission is authorized to transfer funds for its employee incentive program from

the liquor commission fund to such accounts as required to compensate qualifying employees as provided in the liquor commission rules, Liq 800.

11 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c: classes 10-personal services-perm classified, 11-personal services unclassified, 12-personal services unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed, and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that any transfer of $100,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

12 Department of Corrections; Unclassified Positions Established.

I. The unclassified positions of deputy director of health services, deputy director of rehabilitative services, and deputy warden are hereby established in the department of corrections and shall be qualified for the positions by reason of education and experience, shall be appointed by the commissioner of the department of corrections, and shall serve at the pleasure of the commissioner. The positions shall be as follows:

(a) The deputy director of health services shall oversee the uniform integration of allied healthcare, dental services, health information management, and contractual healthcare services into the comprehensive medical and behavioral health system operated by the department of corrections, and ensure adherence of licensed clinical staff to the laws, rules, standards, and policies of their respective practices. In addition, the deputy director of health services will oversee the department's business agreements to ensure compliance with the health insurance portability and accountability act and its application within a correctional environment. This position shall also establish an organizational reporting structure to ensure that all licensed clinical staff receive adequate and appropriate supervision. Direct reports shall include the facility classified and contracted health administrators and all allied healthcare and health information management staff.

(b) The deputy director of rehabilitative services shall oversee the uniform integration of institutional rehabilitative programs, reentry services, faith-based services, educational and vocational offerings, and family-based services operated by the department of corrections at all locations for those incarcerated, and ensure adherence by certified professionals to the standards, rules, and policies of their respective practices. In addition, this position will oversee and ensure compliance with applicable grants and contractual agreements with external partners and seek out further resources to integrate into the correctional setting to improve programmatic services for the incarcerated population. The deputy director of rehabilitative services will also establish an organizational reporting structure to ensure all staff, including certified educational professionals, receive adequate and appropriate supervision. Direct reports shall include, but are not limited to,

the facilities classified administrators of program services, the education director, and institutional program management staff.

(c) The deputy warden of the New Hampshire state prison for men will work in close and immediate contact with prisoners on a daily basis, having responsibility for security. This position will administer and direct facility objectives by assessing needs and operational effectiveness, establishing controls, and monitoring key performance measures and other quality improvement protocols related to the identified organizational goals of the department and the New Hampshire state prison for men. This position will assist the warden in management of the New Hampshire state prison for men and its security force. This position will conduct post-incident reviews to determine the scope of actions taken and whether those actions comply with applicable state law, administrative rules, policies and procedures, training, and proper use of force. This position will meet with incarcerated individuals and staff as necessary to determine the validity of requests and report on outcomes and areas of improvement to the warden. This position will oversee supervision of prison security operations, bureau of classifications and client records, hobby craft/recreation staff, and related program activities. This position will work with the warden on facility budget planning and development as it relates to equipment and operational costs. This position will maintain its group II law enforcement classification in the retirement system due to its being in close and immediate contact with incarcerated individuals on a daily basis.

II. The commissioner shall appoint a person to each position established pursuant to paragraph I. Any vacancy shall be filled in the same manner as the original appointment.

III. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions, which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. Upon completion of the appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234, 02-46-46-469010-8232, and 02-46-46-463510-3372. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's appointment to the unclassified positions:

(a) Administrator IV (Deputy Director of Health Services) #12849.

(b) Administrator IV (Deputy Director of Rehabilitative Services) #19953.

(c) Administrator IV (Deputy Warden) #16320.

13 Department of Corrections; Authorization to Transfer to Group II of the New Hampshire Retirement System. Pursuant to RSA 100-A:3, IX, the following positions in the department of corrections classified as group I positions are deemed to have met the requirement of RSA 100-A:1, VII(b) and shall be transferred to group II status in the New Hampshire retirement system:

I. Licensed Nursing Assistant III, #44273.

II. Licensed Nursing Assistant I, #44291.

III. Administrator - Secure Psychiatric Unit, #16849.

14 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be as specified in RSA 94:1-a.

15 Department of Corrections; Position Reallocation; Appropriation.

I. The department of administrative services is hereby authorized to conduct a reallocation of all the certified corrections officer and internal affairs investigators from the rank of corrections officer trainee through the rank of major at the department of corrections. The department of administrative services shall conduct an assessment review of the reallocation request pursuant to personnel rule Per 303.

II. The governor is authorized to draw a warrant for said sums in this section out of any money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such funds shall not lapse until June 30, 2025.

16 Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III-a and IV to read as follows:

III-a. The commissioner shall nominate for appointment by the governor and council a chief operations officer of the commissioner's office who shall serve for a term of 4 years. The chief operations officer shall oversee and coordinate the activities of the administrative services ***unit*** [~~, geology, public information and permitting, and laboratory services units,~~] and shall be responsible for the following functions:

(a) Preparing agency budget requests.

(b) [~~Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office.~~

~~(c) Ensuring compliance with directives and procedures by the governor and general court.~~

~~(d) Implementing audit recommendations concerning the commissioner's office units.~~

~~(e)~~] Carrying out the directives of the commissioner and assistant commissioner.

IV. ***The commissioner, or assistant commissioner, as designated by the commissioner, shall be responsible for the following functions:***

(a) Developing and implementing procedures for assuring smooth operation of

the various units within the commissioner's office;

(b) Ensuring compliance with directives and procedures by the governor and general court; and

(c) Implementing audit recommendations concerning the commissioner's office units.

V. The salaries of the commissioner, the assistant commissioner, the chief operations officer, and each division director shall be as specified in RSA 94:1-a.

17 Department of Environmental Services; Office of the Commissioner. Amend RSA 21-O:12 to read as follows:

21-O:12 Office of the Commissioner. The commissioner of environmental services shall establish units within [~~his~~] ***the*** office to be responsible for: administrative services, [~~geology~~] ***geological survey, human resources***, planning, public information and permitting, risk analysis and management, and [~~laboratory services~~] ***legal***, which shall include the following functions and such other functions as may be assigned by the commissioner:

I. Administrative services shall include the following services to all divisions, to the greatest extent possible:

(a) Accounting, purchasing, and budget control.

(b) Personnel management.

(c) Property, contracts, and grants management.

[~~(d) Data processing.~~

~~(e) Compiling, indexing, and managing data collected by all divisions, which shall be used to establish a departmental data base for use by all divisions of the department, and which shall be a public record.~~]

II. Geology shall be under the direction of the state geologist, who shall be the director of the New Hampshire geological survey. The geological survey shall collect data and perform research on the land, mineral, and water resources of the state, and disseminate the findings of such research to the public through maps, reports, and other publications. The state geologist shall: consult with the commissioner of the department of natural and cultural resources relative to the issuance of mining permits under RSA 12-E; assist the directors of the divisions of water and waste management as necessary; and perform such other duties as may be assigned by the commissioner. The state geologist and all members of the New Hampshire geological survey shall be staff members of the commissioner's office. The state geologist shall advise the department, and all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geologic agencies and with the state university. The state geologist shall also serve as a voting member of the board of professional geologists.

III. Planning shall be under the direct supervision of the assistant commissioner and shall include all department-level short- and long-range planning activities and the coordination and compilation of all division-level planning activities.

IV. Public information and permitting shall assist members of the general public[~~,~~] whenever possible by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements.

V. The risk analysis and management function shall be the direct responsibility of the assistant commissioner, in accordance with RSA 125-H:7. The commissioner may call on any personnel from any division or any other state department to assist the assistant commissioner in the event of a crisis, disaster, or other occurrence or condition requiring analysis and management of an actual or suspected risk of damage to the environment. The unit, once assembled by the commissioner in the event of a crisis, disaster, occurrence, or condition, shall work closely with the risk assessment bureau in the department of health and human services under the direction of the assistant commissioner to:

(a) Make assessments of potential or actual risk of harm to the environment or, in cooperation with the risk assessment bureau of the department of health and human services, to persons.

(b) Manage environmental risk hazards using the results of the assessment described above or any other available information to develop and evaluate regulatory options, within a statutory framework, to reduce or eliminate the risk of harm to the environment.

[~~VI. Laboratory services shall include such expert assistants and such facilities as are necessary to support the investigatory, analytical, and enforcement functions of the department of environmental services. The commissioner shall provide the commissioner of the department of health and human services with direct access to all raw data, test results, and other information and samples received or generated by the laboratories in the department deemed necessary by the commissioner of the department of health and human services in order to carry out his or her responsibilities to protect the public health.~~]

18 Department of Justice; Attorney General; Deputy; Associates; Assistants. Amend RSA 21-M:3, VIII-IX to read as follows:

VIII. The attorney general shall appoint qualified applicants to serve as [~~a~~] hearing [~~officer~~] ***officers*** for appeals to any of the councils established under RSA 21-O. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to transfer funds sufficient to fund the hearing officer position, ***clerical and support personnel and services,*** and related expenses. Such individual or individuals shall:

(a) Be *an attorney* qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts, *preferably a retired justice of the superior or supreme court*; and

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department.

VIII-a. Upon request by the commissioner of the department of environmental services, the attorney general shall appoint qualified applicants to serve as hearing officers for all administrative enforcement matters authorized under any provision of law, including, but not limited to, administrative fines and license actions. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be an attorney qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts;

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department;

(c) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences; and

(d) Provide the commissioner with a proposed written decision on the merits within 45 days of the conclusion of the final hearing.

IX. When designated as the hearing officer for a particular appeal *to any of the councils established under RSA 21-O*, the hearing officer shall:

(a) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences;

(b) Subject to RSA 21-O:14, at the first prehearing conference order the parties and any persons who have been allowed to intervene to participate in mediation if the hearing officer concludes that it is reasonably possible that mediation will result in the resolution of the issues in dispute in the proceeding. No order to mediate shall stay the appeal proceeding;

(c) Adopt all findings of fact made by the council except to the extent any such finding is without evidentiary support in the record;

(d) Deliberate with the council before reaching conclusions on mixed questions of law and fact;

(e) Decide all questions of law presented during the pendency of the appeal; and

(f) Prepare and issue written decisions on all motions and on the merits of the appeal within 100 days of the conclusion of the hearing on the merits. The hearing officer shall provide the council with a proposed written decision on the merits within 45 days of the conclusion of the hearing on the merits. If requested to do so by the members of the council participating in the

discussion, the hearing officer shall meet with those members within the 100-day period to discuss the decision.

19 Department of Environmental Services; Duties of Commissioner. Amend RSA 21-O:3, VIII-X to read as follows:

VIII. Provide all necessary clerical and technical support to any council established by this chapter. At a minimum, the commissioner shall:

(a) [~~For any appeal from a department decision before any such council provide all necessary clerical and support personnel and services in order to:~~

~~(1) Prepare notices and other documents required under RSA 541-A and distribute such notices and documents as directed by the hearing officer appointed under RSA 21-M:3, VIII;~~

~~(2) Schedule the conduct of all council administrative appeal proceedings, as directed by the hearing officer appointed under RSA 21-M:3, VIII so as to ensure timely and efficient conduct of such proceedings;~~

~~(3) Prepare and maintain the record, required by RSA 541-A, of all such appeals, which shall include the decisions issued in such proceedings.~~

~~(b)~~] Provide comfortable and adequate space for the use of all councils in performing their official duties; and

[~~(c)~~] ***(b)*** Provide all necessary clerical and support personnel and services in order to:

(1) Prepare and distribute notices and other documents required under RSA 91-A for council meetings; and

(2) Prepare and maintain as public records the official minutes of the meetings of all councils supported by the department.

VIII-a. Have the authority to enter into a memorandum of understanding with the attorney general pursuant to RSA 21-M:3, VIII and VIII-a, to fund the hearing officer position, clerical and support personnel and services, and related expenses.

IX. [Repealed.]

X. [Repealed.]

20 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, V to read as follows:

V. ***A quorum of at least 3 members of*** the wetlands council shall hear all administrative appeals from department decisions made under RSA 482-A relative to wetlands, or under RSA 483-B relative to shoreland protection and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

21 Department of Environmental Services; Water Council. Amend RSA 21-O:7, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the water council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of

water other than department decisions made under RSA 482-A relative to wetlands and RSA 483-B relative to shoreland protection, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

22 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, V to read as follows:

V. ***A quorum of at least 3 members of*** the waste management council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of waste management, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

23 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the air resources council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of air resources and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

24 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, I-a(a) to read as follows:

I-a.(a) Any person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal ***such decision by submitting a notice of appeal*** to the council having jurisdiction over the subject matter of the appeal within 30 days of the date of the decision and shall set forth fully in a notice of appeal every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal shall be considered by the council. On any such appeal, the council shall determine whether the department decision was unlawful or unreasonable by reviewing the administrative record together with any evidence and testimony the parties to the appeal may present.

25 Department of Environmental Services; Appeals Process Study Committee Established.

I. There is hereby established a committee to study the appeals process administered by the environmental councils established under RSA 21-O.

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

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives; and

(b) One member of the senate, appointed by the president of the senate.

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

IV. The duties of the committee shall be as follows:

(a) Study the appeals process of the environmental councils established in RSA 21-O with a focus on expediting appeals resolutions;

(b) Improve the cost effectiveness of the appeals process; and

(c) Consult with the chairmen of the four environmental councils to accomplish these goals.

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

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2023.

26 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30, I-b to read as follows:

I-b. [~~There is hereby established the subsurface systems fund into which~~] The fees collected under paragraph I shall be deposited ***in the water resources fund established in RSA 482-A:3, III*** [~~. The fund shall be a separate, nonlapsing fund, continually appropriated to the department~~] for the purpose of paying all costs and salaries associated with the subsurface systems program ***and other land resources management programs.***

27 Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed.

28 Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to wetlands under RSA 482-A, protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17, conducting field investigations, ***individual sewage disposal systems and subdivisions under RSA 485-A:30,*** and holding public hearings. Such fees and any monetary grants, gifts, donations, or interest generated by these funds shall be deposited with and held by the treasurer in a nonlapsing ***and continuously appropriated*** fund identified as the water resources fund.

29 Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. Amend RSA 485-A:7-a, II to read as follows:

II. All applications shall be accompanied by a $50 fee to cover department expenses for conducting the certification program. All fees shall be deposited [~~with the state treasurer and deposited~~] in a special, nonlapsing, ***and continuously appropriated*** wastewater plant operator certification fund to be used by the department for the administration of this subdivision and for the operation of the department-owned Wastewater Plant Operator Training Center.

30 Water Management and Protection; Aid to Municipalities for Water Pollution Control;

Application for Funding. Amend RSA 486:7 to read as follows:

486:7 Application for Funding. Application for payments under the provisions of this chapter shall be made in accordance with rules adopted by the department under RSA 541-A, and shall be based upon reports filed with the department prior to January 31 in the calendar year for which payment is being requested. ***Final applications must be received within one year of final completion of project to be eligible for funding.***

31 Appropriation; Department of Environmental Services; Municipal Water Pollution Control. There is hereby appropriated to the department of environmental services the sum of $27,900,000 for the fiscal year ending June 30, 2023 for the purpose of administering payments pursuant to RSA 486:1-RSA 486:8. The sum appropriated shall be nonlapsing. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

32 Effective Date. Section 31 of this act shall take effect June 30, 2023.

33 Water Management and Protection; Water Pollution and Waste Disposal; Enforcement; Terrain Alteration. Amend RSA 485-A:17, II(b) to read as follows:

(b) The department shall charge a non-refundable fee of $500 plus a $.10 per square foot ***of disturbance associated with the amendment request*** fee for each request to amend a permit that requires plans to be reviewed.

34 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

II. To provide funds for the municipal share of the costs involved pursuant to this subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of [~~$3,000,000~~] ***$30,000,000*** and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

35 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Municipal Assessments. Amend RSA 485-A:50, III to read as follows:

III. The respective share of the assessments made in paragraphs I and II shall be paid to the department by each municipality quarterly [~~on July fifteenth, October fifteenth, January fifteenth, and April fifteenth of that fiscal year~~], except for capital cost recovery assessments which shall be paid annually [~~on July fifteenth~~]. After the close of each fiscal year, the department shall ascertain its actual total expenses in accordance with the foregoing provisions, and then shall adjust the assessment for the second quarterly payment of the new fiscal year for each such municipality served for any under-payment or over-payment by each such municipality served for the prior fiscal year.

36 New Chapter; PCB Assistance. Amend RSA by inserting after chapter 483-E the following new chapter:

CHAPTER 483-F

PCB ASSISTANCE

483-F:1 Purpose Statement. The general court recognizes that polychlorinated bi-phenyl (PCB) contamination is widespread in New Hampshire and impacts both land and water. As a result of PCB laden products used both as intended and inappropriately dumped from 1929-1977, over 100 waterways have become impaired for fish consumption. In addition, waterfowl have been found to have high levels of PCBs in their blood and in their eggs. The general court hereby declares that the purpose of this chapter is to better understand the impact of PCBs on aquatic life and to ameliorate those impacts to the greatest extent possible.

483-F:2 Definitions. In this chapter:

I. "Department" means the department of environmental services.

II. "Fund" means the PCB assistance fund established in this chapter.

483-F:3 PCB Assistance Fund.

I. There is hereby established in the department the PCB assistance fund which shall be maintained in distinct and separate custody from all other funds, notwithstanding RSA 6:12. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services for the purposes of this chapter.

II. The commissioner may apply for and accept, from any source, gifts; donations of money; grants; federal, local, private, and other matching funds and incentives; and interests in land for the purposes of this chapter. The moneys collected under this paragraph shall be deposited in the fund established under paragraph I of this section.

III. The commissioner shall adopt rules relative to the distribution of money from the fund, taking into consideration ability to pay, natural disaster conditions and locations, requirements for repair, replacement and treatment, and other factors as determined by the department.

37 Appropriation; Department of Environmental Services; PCB Contamination. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the department of environmental services for the purpose of assisting to fund studies, investigations and remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

38 Effective Date. Section 37 of this act shall take effect June 30, 2023.

39 New Subdivision; InvestNH Program. Amend RSA 12-O by inserting the following new subdivision after section 68:

InvestNH Fund and Program

12-O:69 Fund established. There is hereby established in the office of the state treasurer a fund to be known as the InvestNH fund. The fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source. The fund may be expended by the commissioner to accomplish the purposes of RSA 12-O:70. The moneys in this fund shall be

non-lapsing.

12-O:70 InvestNH Program. The department shall establish a program to make grants and loans for the purpose of improving the ability to accelerate the approval of affordable workplace housing as defined in RSA 674:58, IV, and other types of housing determined by the department to be important for the economic development of the state. Grants and loans may be made by the department to municipalities and to housing developers in which at least 20 percent of the housing units to be developed will be affordable for a period of at least 10 years. Such units will be affordable to and intended for occupancy by households with incomes up to 80 percent of the area median income, as established by the U.S. Department of Housing and Urban Development. The program shall be known as the InvestNH Program. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024.

40 New Subparagraph; Application of Receipts; InvestNH Program. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the InvestNH fund as established in RSA 12-O:69.

41 Appropriation; InvestNH. The sum of $10,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the InvestNH fund established in RSA 12-O:69 for the purposes set forth in RSA 12-O:70. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

42 Effective Date. Section 41 of this act shall take effect June 30, 2023.

43 Appropriation; Affordable Housing Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established by RSA 204-C:57, the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

44 Effective Date. Section 43 of this act shall take effect June 30, 2023.

45 Repeals; Advanced Manufacturing Education. The following are repealed:

I. RSA 188-E:21, relative to the advanced manufacturing education advisory council.

II. RSA 188-E:22, relative to the advanced manufacturing education advisory council membership and terms.

III. RSA 188-E:23, relative to the advanced manufacturing education advisory council duties.

IV. RSA 188-E:23-a, relative to the advanced manufacturing education fund.

46 New Subdivision; Bridges House Special Account. Amend RSA 4:9 by inserting after section 4:9-r the following new subdivision:

Bridges House Special Account

4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the

state treasury the bridges house special account fund. The funds may be comprised of public funds, gifts, grants, donations or any other source of funds, and shall be used for the purposes of the care, maintenance, repair of, and additions to, the bridges house, or for any other relevant purpose deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be continually appropriated to the department.

47 New Subparagraph; Application of Receipts; Bridges House Special Account. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the bridges house special account fund under RSA 4:9-s.

48 New Section; Department of Corrections; New Hampshire State Prison Fund Established. Amend RSA 21-H by inserting after section 16 the following new section:

21-H:17 Department of Corrections; New Hampshire State Prison Fund Established. There is hereby established in the state treasury a state prison fund, which shall be administered by the department of corrections. The fund shall not lapse. The fund is established for the purpose of design and construction of a new New Hampshire state prison.

49 New Subparagraph; Application of Receipts; New Hampshire State Prison Fund 2023. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire state prison fund under RSA 21-H:17.

50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is hereby appropriated to the department of corrections the sum of $10,000,000 for the fiscal year ending June 30, 2023 for deposit in the New Hampshire state prison fund under RSA 21-H:17, for the purpose of preliminary design and complete site survey for a new state prison. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

51 Effective Date. Sections 48-50 of this act shall take effect June 30, 2023.

52 Appropriation; Department of Corrections; IT Infrastructure. There is hereby appropriated to the department of corrections the sum of $1,340,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing certain computers and information technology infrastructure. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

53 Effective Date. Section 52 of this act shall take effect June 30, 2023.

54 Appropriation; Department of Administrative Services. There is hereby appropriated to the department of administrative services the sum of $21,000,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 2 Granite Place, Concord, New Hampshire in order to provide office space for the department of justice and other state agencies, or for any other purpose the commissioner of the department of administrative services determines is necessary, provided that any unexpended amount following the completion of the purchase shall lapse to the general fund.

The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

55 Effective Date. Section 54 of this act shall take effect June 30, 2023.

56 Appropriation; One Granite Place. The sum of $13,000,000 is hereby appropriated for the biennium ending June 30, 2025, to the department of administrative services for the acquisition of the land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire, such building to be used for state government office space. The foregoing appropriation is conditioned upon the prior successful closing of a sale of the former Laconia state school campus property. Such appropriation includes the estimated total amount of $2,000,000 for necessary upgrades to building mechanical systems. The total appropriated amount shall remain subject to adjustment pending completion of a comprehensive inspection of the building and its mechanical systems to be commissioned by the department and paid for from the monies appropriated in 2022, 272:6. The sum hereby appropriated shall be a charge against the proceeds from any sale of the former Laconia state school campus property. Any unexpended amount shall lapse to the general fund.

57 Appropriation; Body-Worn and Dashboard Camera Fund. There is hereby appropriated to the department of safety for deposit in the body-worn and dashboard camera fund established in RSA 105-D:3 the sum of $1,005,000 for the fiscal year ending June 30, 2023. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

58 Effective Date. Section 57 of this act shall take effect June 30, 2023.

59 Department of Natural and Cultural Resources; Christa McAuliffe Memorial.

I. The department of natural and cultural resources shall design, construct, and maintain a permanent memorial to Christa McAuliffe on state house grounds, specifically at the front-facing area of the state house.

II. The governor is authorized to accept for the department of natural and cultural resources, in the name of the state, any gifts of money which are donated to construct and maintain the Christa McAuliffe memorial. Notwithstanding any other provision of law, the department may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial without governor and council approval.

III. Any gifts of money donated to contract, construct, and maintain the memorial shall be placed in the special nonlapsing account in the state treasury, to be expended for the purposes of the Christa McAuliffe memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, and repair of and additions to the memorial, or for any other purpose deemed appropriate.

IV. The memorial shall be permanently affixed to state house grounds, on the front-facing portion of the state house, upon completion.

60 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department of natural and cultural resources the sum of $500,000 for the fiscal year ending June 30, 2023, which shall be placed in a special nonlapsing account in the state treasury, for the purpose of designing, constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds, specifically the front-facing area of the state house. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

61 Effective Date. Sections 59 and 60 of this act shall take effect June 30, 2023.

62 New Section; Department of Education; The Commission on New Hampshire Civics; Commission Established. Amend RSA 21-N by inserting after section 8-b the following new section:

21-N:8-c Commission Established; Department of Education; New Hampshire School Civics Program. The commission on New Hampshire civics is hereby established to develop educational materials to teach the state constitution in New Hampshire schools.

I. Notwithstanding RSA 14:49 the members of the commission shall be as follows:

(a) Three public members appointed by the governor, of which at least one shall be the parent of a student in a qualified New Hampshire education program.

(b) The chair of NH Civics, or designee.

(c) The chief justice of the New Hampshire supreme court, or designee.

(d) The secretary of state, or designee.

(e) The chief administrative judge of the New Hampshire superior court, or designee.

(f) The chief administrative judge of the New Hampshire circuit court, or designee.

(g) The commissioner of the department of education, or designee.

(h) Two New Hampshire civics teachers appointed by the commissioner of education.

(i) The executive director of the New Hampshire Historical Society, or designee.

(j) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(k) One member of the senate, appointed by the president of the senate.

(l) One member of the governor's office, appointed by the governor.

II. The commission shall create a textbook and related curriculum specifically designed for New Hampshire students and teachers to help them explore the history, heritage and principles of the New Hampshire Constitution and the government it established.

(a) A paper copy of the published textbook shall be available for each New Hampshire civics classroom and an interactive electronic version shall be made available on the department of education's website or in another form to all New Hampshire citizens at no charge.

(b) The commission shall meet as often as the chair determines and shall publish the book on or before August 1, 2025.

III. The members of the commission shall elect a chairperson among the members. The first meeting of the commission shall be called by the first-named governor appointee. The first meeting of the commission shall be held within 30 days of the effective date of this section. A majority of the members of the commission shall constitute a quorum.

63 Department of Education; Commission on New Hampshire Civics. There is hereby appropriated to the department of education, commission on New Hampshire civics established in RSA 21-N:8-c, the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall not lapse, for the purpose of creating a New Hampshire civics textbook to be distributed to every New Hampshire civics classroom. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

64 Effective Date. Section 63 of this act shall take effect June 30, 2023.

65 New Section; Department of Education; Higher Education; Recruitment of Educators. Amend RSA 21-N by inserting after section 8-c the following new section:

21-N:8-d Recruitment of Educators in New Hampshire.

I. In this section:

(a) "Academic residency" means participation in an approved educator preparation program field-based experience under the supervision of a cooperating teacher or mentor.

(b) "Approved program" means an approved professional educator preparation program by the state board of education.

(c) "Educator" means a teacher or certified paraprofessional.

(d) "Eligible student" means a student who is enrolled in an approved program of preparation and eligible for financial assistance because the student's expected family contribution does not exceed 200 percent of the maximum federal Pell-eligible expected family contribution.

(e) "Candidate" means an educator candidate who is participating in an academic residency and placed in a school or community-based setting.

II. There is established an educator recruitment grant program administered by the department of education. Stipends or grants shall be awarded for the purpose of reducing the financial barriers to entering the educator workforce while eligible students gain clinical teaching experience either through a student teaching program or pre-educator preparation program. The program shall:

(a) Provide grants to New Hampshire institutions of higher education that fund programs designed to increase participation in the educator workforce.

(b) Provide grants to fund stipends for candidates during their clinical experience while engaging in education career pathway programs designed to culminate in licensure as an educator.

(c) Stipends for a student teaching program shall be $500 per week for not more than 16 weeks.

III. The higher education commission shall adopt any rules and guidelines to implement and administer the program.

IV. In order to qualify to participate in the stipend program, a student must be an eligible student and placed as student teacher in a public school or community agency as a candidate working toward an initial teaching certificate.

V. The department shall report annually to the chairs of the senate education committee and the house education committee, on:

(a) The number of students served by the program.

(b) The amounts of stipends received each year.

(c) The reported number of hours each eligible student works a second job to earn income.

VI. If the amount appropriated to the department for use in the educator recruitment grant program in a state fiscal year is insufficient to fully fund the stipends and grants for the total number of eligible students for that state fiscal year, the department shall reduce the amount distributed to each approved program of preparation by the same percentage that the deficit bears to the amount required to fully fund the total number of eligible students who qualify for the stipend program.

66 Department of Education; ARPA and ESSER Funds. The governor shall determine if any discretionary American Rescue Plan Act (ARPA) funds, or Elementary and Secondary School Emergency Relief Fund (ESSER) funds, can be used for the purpose funding the grants and stipends under RSA 21-N:8-d. The department of education may request to accept and expend any such funds from the governor and council and the fiscal committee of the general court pursuant to RSA 14:30-a, VI.

67 Board of Tax and Land Appeals. Amend RSA 71-B:1 to read as follows:

71-B:1 Board Established. There is hereby established a board of tax and land appeals, hereinafter referred to as the board, which shall be composed of 3 members who shall be learned and experienced in questions of taxation or [~~of~~] real estate valuation and appraisal, or [~~of~~] both. ***At least one member of the board shall be an attorney admitted to practice in New Hampshire.*** The members of the board shall be full-time employees and shall not engage in any other employment during their terms that is in conflict with their duties as members of the board.

68 New Section; Retirement Benefits Commission Established. Amend RSA 100-A by inserting after section 57 the following new section:

100-A:58 Retirement Benefits Commission.

I. There is established a commission to study retirement benefits and retention of employees.

II. The members of the commission shall be as follows:

(a) Four members of the senate, at least one of whom shall be a member of the minority party, appointed by the president of the senate.

(b) Four members of the house of representatives, at least one of whom shall be a member of the minority party, appointed by the speaker of the house of representatives.

(c) One representative of the New Hampshire Municipal Association, appointed by the association.

(d) One representative of the New Hampshire School Boards Association, appointed by the association.

(e) One representative of the New Hampshire Association of Counties, appointed by the association.

(f) One representative of the Professional Firefighters of New Hampshire, appointed by that organization.

(g) One representative of the New Hampshire Troopers Association or New Hampshire Police Association, appointed by mutual agreement.

(h) One teacher, appointed by the National Education Association - New Hampshire.

(i) One state employee, appointed by the New Hampshire State Employees Association.

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

IV. The commission shall examine issues surrounding retirement benefits, including:

(a) The impact retirement benefits have on the retention of employees and the ability to attract new employees.

(b) Whether changes to the current benefit structure are warranted, including the cost and funding source of any proposed change.

(c) The report of the decennial retirement commission.

(d) Analyzing the financial status of the retirement system and performing a risk assessment to the system.

(e) Whether cost of living adjustments (COLAs) or stipend are appropriate and could be funded through employer and employee contributions.

(f) Making recommendations ensuring the long-term viability of the New Hampshire retirement system.

(g) Considering the effect that policy changes have on the state and political subdivisions.

(h) Consideration of a state employer match toward state employee contributions under the state of New Hampshire public employees deferred compensation plan.

V. Members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of

the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2023.

69 Repeal. RSA 100-A:58, relative to the retirement benefits commission, is repealed.

70 Effective Date. Section 69 of this act shall take effect December 1, 2023.

71 Appropriation; Office of the Child Advocate; Case Management System. The sum of $200,700 for the fiscal year ending June 30, 2023, is hereby appropriated to the office of the child advocate for the purpose of enhancing the case management system. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

72 Effective Date. Section 71 of this act shall take effect June 30, 2023.

73 New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program; Appropriation.

I. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of business and economic affairs for the New Hampshire pulp and paper manufacturing industry stabilization grant program. This appropriation is in addition to any other funds appropriated to the department of business and economic affairs. This appropriation shall lapse on June 30, 2025.

II. In this section, "New Hampshire pulp and paper manufacturer" means a New Hampshire-based entity engaged in the processing or manufacturing of pulp, paper and paperboard products and producing paper products.

III. With the approval of the joint legislative fiscal committee, the department of business and economic affairs shall administer this grant program based on the following criteria:

(a) Applicants shall demonstrate and quantify the impact of COVID-19, infrastructure failures, industry decline, workforce development, and other factors impacting the forest products manufacturing industry in New Hampshire.

(b) Applicants shall demonstrate that jobs will be preserved or created as a result of receiving grant funding under this act.

74 Effective Date. Section 73 of this act shall take effect on June 30, 2023.

75 Program for Recruitment and Retention; Effective Date of Repeal Extended. Amend 2022, 147:3 to read as follows:

147:3 Effective Date.

I. Section 2 of this act shall take effect July 1, [~~2023~~] ***2024***.

II. The remainder of this act shall take effect 60 days after its passage.

76 Effective Date. Section 75 of this act shall take effect June 30, 2023.

77 Appropriation; University System of New Hampshire. There is hereby appropriated to university system of New Hampshire the sum of $3,000,000 in the fiscal year ending June 30, 2023. Said appropriation shall be matched with $3,000,000 from the university system, for a total of $6,000,000, and allocated to Keene state college and Plymouth state university. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

78 Effective Date. Section 77 of this act shall take effect June 30, 2023.

79 New Section; Department of Education. Amend RSA 21-N by inserting after section 12 the following new section:

21-N:13 Computer Science and STEM; Administrator. There is established a position within the department of education who shall be a classified employee at no less than the level of administrator II. The computer science and STEM position shall be qualified to hold such position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The computer science and STEM position shall coordinate and provide assistance to oversee the computer science educator program established in RSA 200-O. The computer science and STEM position shall:

I. Coordinate and provide technical assistance to all public schools in the state that participate in the computer science educator program.

II. Assist educators in the state that pursue eligible industry recognized credentials and utilize the computer science professional development fund.

III. Assist with administering the computer science professional development fund and computer science educator incentive fund.

IV. Coordinate and provide technical assistance with those school and educators that partake in the experiential robotics platform.

V. Serve as a resource for administrators and educators regarding computer science and STEM.

80 New Chapter; Computer Science Educator Program. Amend RSA by inserting after chapter 200-N the following new chapter:

CHAPTER 200-O

COMPUTER SCIENCE EDUCATOR PROGRAM

200-O:1 Purpose. The purpose of this chapter is to promote broader computer science education in New Hampshire with the goal of preparing more students for employment opportunities in this field and to establish the administrator of computer science education and STEM within the department of education.

200-O:2 Definitions. In this chapter:

I. "Computer Science Administrator" refers to the computer science and STEM administrator established in RSA 21-N:13.

II. "Eligible Industry Recognized Credential" or "IRC" refers to those industry recognized credentials in computer science or related fields that are approved by the computer science administrator to expand computer science education for participation in the below funds.

III. "Full time or equivalent" refers to the amount of time an individual engages in instruction in a New Hampshire education program, which shall be considered full-time or equivalent if it includes instruction of not less than 4 one-credit classes per semester or instruction of no less than 80 students over the course of a semester.

200-O:3 Computer Science Professional Development.

I. The department shall determine, in coordination with the computer science administrator to expand computer science education, industry recognized credentials eligible for reimbursement and the amount of reimbursement. Any such reimbursements shall be based on the successful attainment of an eligible IRC.

II. The department of education shall create an application process, which it shall publish on or before 6 months from the effective date of this act, for New Hampshire certified educators to seek reimbursement for all or a portion of the cost of obtaining an eligible industry recognized credentials in the field of computer science. The process shall include a list of eligible industry recognized credentials and the amount of reimbursement for successful attainment.

200-O:4 Computer Science Educator Credential.

I. The department of education shall adopt through rulemaking pursuant to RSA 541-A, a computer science educator credential that permits individuals holding eligible industry recognized credentials to receive a New Hampshire certified educator credential in the area of computer science. Such individuals shall be qualified to teach in approved New Hampshire education programs.

II. Individuals teaching full time, or the equivalent, in an approved New Hampshire computer science education program shall be eligible for a $5,000 bonus for the first year of teaching, and $2,500 each year for the next 2 years of teaching. Only completed years of teaching shall be eligible and there shall be no proration for partial years.

200-O:5 Experiential Robotics Platform (XRP). As part of the STEM initiative for New Hampshire schools, experiential robotics platform, 5,500 robotics kits shall be made available for all New Hampshire classrooms for grades 6-12. The program shall consist of standards-based curriculum and hands-on resources, designed to facilitate competency-based learning in the classroom.

81 Appropriations; Department of Education; Computer Science Professional Development.

I. There is hereby appropriated to the department of education the sum of $500,000 for the fiscal year ending June 30, 2023 for the purpose of encouraging New Hampshire certified educators to pursue eligible industry recognized credentials in the field of computer science. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. There is hereby appropriated to the department of education the sum of $2,741,871 for the fiscal year ending June 30, 2023 for the purpose of encouraging individuals holding an eligible industry recognized credentials to teach computer science or related courses of study in New Hampshire approved education programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. There is hereby appropriated to the department of education the sum of $455,000 for the fiscal year ending June 30, 2023 for the purpose of implementing the experiential robotics platform in all New Hampshire classrooms for grades 6-12 including, but not limited to the purchase of robotics kits from First New Hampshire Robotics, Experiential Robotics Platform, career and technical education of community college fabrication sites, and professional development delivery and support. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The sum of $303,129 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to be expended in biennium ending June 30, 2025, for the computer science and STEM position established in this act. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

82 Effective Date. Section 81 of this act shall take effect June 30, 2023.

83 Appropriation; Public School Infrastructure Fund. There is hereby appropriated the sum of $10,000,000 from the education trust fund, in the fiscal year ending June 30, 2023, for deposit in the public school infrastructure fund established in RSA 198:15-y. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. This appropriation shall not lapse.

84 Effective Date. Section 83 of this act shall take effect June 30, 2023.

85 Taxation of Incomes; Rate. Amend RSA 77:1 to read as follows:

77:1 Rate.

I. The annual tax upon incomes shall be levied at the rate of 5 percent for all taxable periods ending before December 31, 2023.

II. The annual tax upon incomes shall be levied at the rate of 4 percent for all taxable periods ending on or after December 31, 2023.

III. The annual tax upon incomes shall be levied at the rate of 3 percent for all taxable periods ending on or after December 31, 2024.

~~[IV. The annual tax upon incomes shall be levied at the rate of 2 percent for all taxable periods ending on or after December 31, 2025.~~

~~V. The annual tax upon incomes shall be levied at the rate of 1 percent for all taxable periods ending on or after December 31, 2026.]~~

86 Returns for Interest and Dividends Taxes; 2027. Amend 2021, 91:100 to read as follows:

91:100 Returns for Interest and Dividends Taxes; [~~2027~~] ***2025***. All persons who are liable for a tax under RSA 77 as of December 31, [~~2026~~] ***2024***, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to permit the audit and collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, [~~2026~~] ***2024***, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

87 Application; Repeal of RSA 77. Amend 2021, 91:101 to read as follows:

91:101 Application; Repeal of RSA 77. Paragraph II of section 99 shall apply to taxable periods beginning after December 31, [~~2026~~] ***2024***.

88 Amend Effective Date; Amend Repeal of Interest and Dividends Tax from 2027 to 2025. Amend 2021, 91:102, II to read as follows:

II. Sections 90-100 of this act shall take effect January 1, [~~2027~~] ***2025***.

89 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after hearing, impose a civil penalty not to exceed $2,500, as determined by the commissioner, for any violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-C, and RSA 282-A. All moneys collected under this section shall be deposited [~~in the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b.***

90 Workers' Compensation; Liability of Employer Failing to Comply. Amend RSA 281-A:7, I(b) to read as follows:

(b) An insurance carrier which insures an employer and fails to file with the commissioner a notice of coverage within a reasonable period of time as prescribed by rule shall be assessed a civil penalty of up to $50 for each day of noncompliance. The commissioner shall deposit all moneys collected under this subparagraph [~~with the state treasurer for deposit into the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b.***

91 Occupational Health and Safety Administration Certification. Amend RSA 277:5-a, III to read as follows:

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation and enforcement of this section. The commissioner may also assess a civil penalty of up to $2,500; in addition, such an employer shall be assessed a civil penalty of $100 per employee for each day of noncompliance. All funds collected under this section shall be deposited into the [~~general fund~~] ***department of labor restricted fund established in RSA 273:1-b.*** The labor commissioner shall

appoint as many individuals as necessary to carry out the department's responsibilities under this section.

92 Penalty Appeal Board. Amend RSA 273:11-b to read as follows:

273:11-b Penalty Appeal Board.

I. There is hereby created a penalty appeal board which shall hear appeals from penalties imposed by the commissioner.

II. The board shall be composed of 3 members, as follows:

(a) One person representing the interests of management, to be appointed by the governor and council;

(b) One person representing the interests of labor, to be appointed by the governor and council; and

(c) One person to serve as chairman, who shall be an attorney and who shall be familiar with the labor laws of this state. The chairman shall be [~~chosen and~~] appointed [~~jointly~~] by ***the governor and council*** [~~the other 2 members of the board; provided, however, that, if such members are unable to agree on the appointment of the chairman within 30 days after the later of their appointments, the governor and council shall appoint the chairman~~].

III. At the time of making appointments pursuant to paragraph II, the governor and council [~~or 2 appointing members of the board, as applicable,~~] shall also appoint an alternate member representing the interests of management, an alternate member representing the interests of labor and an alternate chairman, who shall serve whenever the corresponding member of the board is unable, because of a conflict of interest or otherwise, to participate in the determination of a matter before the board.

IV. Members and alternate members shall be appointed for terms of 3 years and shall serve until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms. [~~Members and alternate members shall serve without compensation but shall receive mileage at the same rate paid to state employees.~~]

V. The attorney member of the board shall receive $400 per diem and all other members of the board shall each receive $250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.

93 Family and Medical Leave Insurance. Amend RSA 275:37-d to read as follows:

275:37-d Family and Medical Leave Insurance. If an employer has 50 or more employees and sponsors family and medical leave insurance pursuant to RSA 21-I:99, then any employee of that employer who takes family or medical leave and accesses wage replacement benefits under such family and medical leave insurance coverage shall be restored to the position she or he held prior to such leave or to an equivalent position by her or his employer consistent with the job restoration

provisions of the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section 2601 et seq. Such employers shall continue to provide health insurance to employees during the leave. However, employees shall remain responsible for any employee-shared costs associated with the health insurance benefits. Such employers shall not discriminate or retaliate against any employee for accessing family or medical leave wage replacement benefits. Employers of employees participating in the granite state paid family leave plan may require that paid leave taken under this program be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or other established employer policy or the Family and Medical Leave Act, as applicable. ***In addition, the commissioner may adopt rules under RSA 541-A to facilitate administration and enforcement of this section.***

94 Boiler and Pressure Vessels; Exceptions. Amend RSA 157-A:6, III(e) to read as follows:

(e) Pressure vessels that do not exceed (1) 5 cubic feet in volume [~~or~~] ***and*** 250 psig, (2) 1 1/2 cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

95 Workers' Compensation; Appeals Board. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. ***Until January 1, 2024,*** the board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. ***On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total.*** Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an

attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

96 Department of Transportation; Appeals Board. Amend RSA 21-L:14, I to read as follows:

I. There is established an appeals board consisting of 3 members. One member shall be a registered professional engineer, one member shall be a person admitted to the practice of law in this state, and one member shall be a person skilled in the field of public works and construction who shall represent the general public. There shall be 2 alternate board members, who shall meet at least one of the qualification categories set forth for board members. Each board member and alternate board member shall be appointed by the governor with the consent of the council to a term of 3 years, [~~provided that of the initial members appointed under this section one member shall be appointed to a term of one year, one member to a term of 2 years, and one member to a term of 3 years. Vacancies shall be filled in a like manner for the unexpired term~~] ***or until a successor is appointed and qualified, whichever is later.*** The governor shall designate one member to serve as board chairman, and the board shall elect one member to serve as vice-chairman. In the event of illness or disqualification of a member as set forth in RSA 673:14, the chairman shall designate an alternate member to act in his ***or her*** place.

97 Appeals Board; Powers and Duties. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8[~~, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16~~].

98 Repeal. RSA 21-L:16, relative to the railroad appeals board, is repealed.

99 New Paragraph; Weight; Permit Fees. Amend RSA 266:22 by inserting after paragraph V the following new paragraph:

VI. There is hereby established an over-length, over-width, over-height, and over-weight revolving fund from revenue received under this section. All revenue received by the department of transportation for permit fees shall be credited to the fund and are hereby appropriated to the department of transportation. Funds shall be nonlapsing and continually appropriated for the operation and administration of the permit section at the department.

100 New Subparagraph; Application of Receipts; Over-length, Over-width, Over-height, and Over-weight Revolving Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the over-length, over-width, over-height, and over-weight revolving fund under RSA 266:22.

101 Highway Surveillance Prohibited. Amend RSA 236:130, III(f) to read as follows:

(f) Is undertaken for the security of the following bridges and approach structures: I-95 Piscataqua River Bridge, Sarah Mildred Long Bridge, and the Memorial Bridge, all in Portsmouth, ***as well as the Little Bay Bridges in Dover and Newington***.

102 New Subparagraph; Local Option; Prime Wetlands. Amend RSA 482-A:11, IV by inserting after subparagraph (c) the following new subparagraph:

(d) Department of transportation impacts associated with maintenance projects within the limits of existing rights of way and/or permanent easements shall not be subject to the hearing requirements, nor to provide mitigation, provided the project otherwise adheres to the requirements of RSA 482-A:11, IV(a). The issuance of permits for such projects shall not require prior notification of the conservation commission or local governing body.

103 Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. Amend RSA 228:31-a to read as follows:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of ***RSA 4:39-c and*** RSA 4:40 shall not apply to this section.

104 State Highways; Notice of Finding. Amend RSA 230:55 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes for property acquired by the state in 1945 or earlier, the commissioner shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. Notwithstanding any provision of law to the contrary, the commissioner may discontinue ***any right-of-way, or portion thereof, that was laid out by the state*** and declare property acquired after 1945 as surplus and dispose of it in

accordance with RSA [~~4:39~~] ***4:39-c***.

105 New Paragraph; New Hampshire Aeronautics Act; Revenue; Fees. Amend RSA 422:31 by inserting after paragraph IX the following new paragraph:

X. A credit card use convenience fee may be charged in addition to the required aircraft operating fee for each transaction, which the department is authorized to use towards the credit card fees incurred.

106 Turnpike System; Toll Criteria. Amend RSA 237:11, V to read as follows:

V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the New Hampshire turnpikes in the system for vehicles listed on a ***funded*** New Hampshire E-Z Pass account and using the regional electronic toll collection system with a ***working and properly mounted*** New Hampshire E-Z Pass transponder shall be 30 percent for passenger vehicles, including motorcycles, and 10 percent for commercial vehicles.

107 Statewide Transportation Improvement Program. Amend RSA 228:99 to read as follows:

228:99 Statewide Transportation Improvement Program (STIP). The governor shall develop a statewide transportation improvement program as required by 23 U.S.C. sections 134 and 135, as amended. The governor shall revise and update the program every 2 years. Adoption of the STIP and revised STIP shall be as follows:

I. Each metropolitan planning organization and rural regional planning commission shall reach agreement with the department of transportation relative to funding unified planning work programs consistent with 23 U.S.C. sections 134 and 135 no later than December 1 of each even-numbered year. Each metropolitan planning organization and rural regional planning commission shall provide a regional transportation improvement program (TIP) ***priorities*** to the department of transportation no later than April 1 of each odd-numbered year. Such plans shall include [~~a~~] public involvement [~~plan~~] and education [~~initiative~~] to ensure early and adequate input from residents, municipalities and any other interested parties in New Hampshire.

II. The commissioner shall submit the tentative STIP in accordance with the state planning process as required in 23 U.S.C. section 135 to the governor's advisory commission on intermodal transportation no later than [~~July~~] ***September*** 1 of each odd-numbered year.

III. The governor's advisory commission on intermodal transportation shall conduct at least one public hearing in each executive council district to present the tentative STIP to the public and to receive the public's comments and recommendations regarding the program. The governor's advisory commission on intermodal transportation shall submit such program along with the commission's recommendations to the governor no later than December 1 of each odd-numbered year. Each metropolitan planning organization and rural regional planning commission should conduct an informational meeting after the commission submits its recommendations to receive the public's final comments and recommendations regarding the proposed programs before adoption by the governor.

IV. The governor shall submit the STIP to the general court to be acted on no later than January 15 of each even-numbered year. [~~After an enactment~~] ***The STIP shall be enacted*** by the general court [~~of the STIP or~~] by June 1 of each even-numbered year[~~, whichever is earlier, each metropolitan planning organization and rural regional planning commission should continue its public involvement program by conducting at least one informational meeting concerning the STIP~~].

V. Each metropolitan planning organization and the department of transportation shall continue its public involvement program by conducting public comment periods and public hearings as required by 23 U.S.C. sections 134 and 135, as amended for the regional TIP and statewide STIP.

VI. Each metropolitan planning organization shall approve the regional TIP and the department of transportation shall incorporate the TIPs into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

VII. Three times per year, the STIP and TIPs shall be amended to make adjustments to projects whose scopes, schedules or budgets need to be adjusted. The department of transportation will prepare and release STIP/TIP amendments to the metropolitan planning organizations and rural regional planning commissions.

VIII. The metropolitan planning organizations shall have 60 days from the receipt of each amendment to prepare, receive public comments, approve and transmit the updated TIPs to the department of transportation. The department of transportation shall incorporate the TIP amendments into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

108 Unclaimed and Abandoned Property; Subsequent Claims. Amend RSA 471-C:31-a to read as follows:

471-C:31-a Subsequent Claims. For periods after January 1, 1985, any owner who comes forward to make a claim for assets which have escheated to the state ***or counties*** may petition [~~the governor and council~~] for payment of those assets. Upon [~~providing~~] ***receiving*** sufficient proof of the validity of such owner claim [~~and receiving the approval of governor and council~~], the administrator shall pay such claim to the owner in accordance with the provisions of this chapter. ***For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.***

109 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2025.

110 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) The [~~department of environmental services and the~~] department of energy shall submit a report to the house science, technology, and energy committee, and the senate energy and

natural resources committee by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

111 Disclosure of Electric Service Energy Sources and Environmental Characteristics. Amend RSA 378:49, II(c) to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with billing, whether distributed through the mail or online, or other mailed or online communication to customers, as approved by the [~~commission~~] ***department,*** including the [~~commission's~~] ***department's*** estimated cost on a per kilowatt-hour basis for compliance with the electric renewable portfolio standard under RSA 362-F for the prior compliance year. The estimated cost for the compliance year shall be calculated once per year and provided in the customer's December bill, whether distributed through the mail or online. Each customer's bill shall identify the cost as an estimate and provide a link to information about the electric renewable portfolio standard, including its benefits, at the [~~public utilities commission's~~] ***department's*** website. The costs for a utility to provide this information shall be recovered from electric customers through the distribution rates of the respective electric distribution utility.

112 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives ***and offshore wind initiatives, including the office of offshore wind industry development.*** Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

113 Information Collection. Amend RSA 362-F:8, I to read as follows:

I. [~~By July 1~~] ***No earlier than July 1 and no later than July 15*** of each year, each provider of electricity shall submit a report to the department of energy, in a form approved by the

department of energy, documenting its compliance with the requirements of this chapter for the prior year. The department of energy may investigate compliance and collect any information necessary to verify and audit the information provided to the department of energy by providers of electricity.

114 Phase-In for Existing Supply Contract Load. Amend RSA 362-F:14 to read as follows:

362-F:14 Phase-In for Existing Supply Contract Load. The increases in the annual purchase percentages in RSA 362-F:3 as compared to those in effect as of January 1, 2012 shall apply to the electrical load under any electrical power supply contracts for a term of years entered into by providers of electricity prior to or on July 1, 2012, upon the expiration of the term of any such contract. Providers of electricity shall inform the department of energy [~~by July 1~~] ***no earlier than July 1 and no later than July 15*** of each year of all such contracts and their terms, including, but not limited to the execution date and expiration date of the contract and the annual volume of electrical energy supplied.

115 Duties of Commissioner; Department of Energy. Amend RSA 12-P:5, VI to read as follows:

VI. Collect and account for all fees, funds, taxes, or assessments levied upon any person subject to the jurisdiction of the department of energy and the public utilities commission. ***Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the department of energy, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the department of energy, may authorize an additional assessment pursuant to RSA 363-A for such purpose.***

116 Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(d) to read as follows:

(d) [~~Two~~] ***Three*** additional staff people appointed by the consumer advocate. When filling these positions, the consumer advocate should consider appointing rate analysts or economists.

117 New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the office of the consumer advocate, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the consumer advocate, may authorize an additional assessment pursuant to RSA 363-A for such purpose.

118 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these

classes into class 046 consultants and class 233 litigation provided that any such transfers shall be limited to $75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

119 Public Utilities; Assessment. Amend the introductory paragraph of RSA 363-A:2, I to read as follows:

I. The expenses thus ascertained shall be assessed against the public utilities and other entities described in this section in the manner provided in this chapter. The assessment shall be calculated by using the following revenue percentages, ***based on the prior calendar year***:

120 Public Utilities; Certification of Assessment. Amend RSA 363-A:3 to read as follows:

363-A:3 Certification of Assessment. It shall be the duty of the department of energy to calculate the amount to be assessed against each such public utility and each other entity subject to assessment in accordance with RSA 363-A:1 and RSA 363-A:2. At the beginning of each fiscal year, the department of energy shall estimate the total expenses for the fiscal year, and then, based on such estimate, shall calculate the amount to be assessed quarterly on [~~August 10, October 15, January 15~~] ***September 15, November 15, February 15***, and April 15 of that fiscal year[~~, against each such public utility and other assessed entity in accordance with RSA 363-A:1 and RSA 363-A:2~~]. ***For entities with assessments less than $10,000, the department may bill those entities the entire amount on September 15 of that fiscal year.*** The department of energy shall then make a list showing the amount [~~due on August 10, October 15, January 15~~] ***assessed September 15, November 15, February 15***, and April 15 of that fiscal year [~~from~~] ***to*** each of the several public utilities and other entities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility and other assessed entity, shall certify the same. After the close of each fiscal year, the department of energy shall ascertain the actual total expenses in accordance with RSA 363-A:1 and RSA 363-A:2, and then shall adjust the assessment for the first [~~quarterly~~] ***or only*** payment of the new fiscal year for each such public utility or other assessed entity for any underpayment or overpayment by each such public utility or other assessed entity for the prior fiscal year.

121 Expenses of Public Utilities Commission; Collections. Amend RSA 363-A:4 to read as follows:

363-A:4 Collection. Upon the completion of each such list, [~~on or before August 10, October 10, January 10, and April 10~~] ***within 10 business days of September 15, November 15, February 15, and April 15*** of each fiscal year, the department of energy shall bill each public utility and each other entity subject to assessment [~~for the quarterly amount assessed against it within 10 working days~~]. Such bill shall be sent [~~registered~~] ***first-class or electronic*** mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the department of energy [~~within 30 days after the receipt of the bill. After the expiration of 30 days from the receipt of an original bill,~~] ***by the due date stated on the bill, which shall be set no sooner than 30 days after the***

date the bill is sent. If payment is not made by the due date, the department of energy may add to the assessment a late penalty fee and may commence an action at law for the recovery of the assessment. Within 30 days of the ***date that the bill*** assessment for the first [~~quarterly~~] ***or only*** payment ***is sent***, each public utility or other assessed entity which has any objection to the amount assessed against it for the prior fiscal year shall file with the department its objection in writing, setting out in detail the grounds upon which it is claimed that said assessment is excessive, erroneous, unlawful, or invalid. If such objections are filed, the department, after reasonable notice to the objecting public utility or other assessed entity, shall hold a hearing on such objections, and if the department finds that said assessment or any part thereof is excessive, erroneous, unlawful, or invalid, the department shall reassess the amount to be paid by such public utility or other assessed entity, and shall order that an amended bill be sent to such public utility or other assessed entity in accordance with such reassessment. The department of energy shall not commence an action at law for recovery of any assessment for the first [~~quarterly~~] ***or only*** payment until any such objection has been resolved.

122 Expenses of Public Utilities Commission; Exemption from Assessment. Amend RSA 363-A:5 to read as follows:

363-A:5 Exemption From Assessment. Any public utility or other assessed entity that is not an entity to which RSA 363-A:2, I(c) or (d) applies, and that earned less than $10,000 in gross revenue during the preceding [~~fiscal~~] ***calendar*** year shall not be liable for any assessment pursuant to this chapter.

123 Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy Fund. There is hereby appropriated to the department of energy the sum of $250,000 for the fiscal year ending June 30, 2023 to be placed in a regional energy advocacy fund. This fund shall be nonlapsing and continually appropriated to the department to be expended to hire consultants and attorneys and related expenses to support the regional advocacy issues specified in RSA 374-F:8. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

124 Effective Date. Section 123 of this act shall take effect June 30, 2023.

125 Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel. Amend RSA 12-P:4 to read as follows:

12-P:4 Commissioner; Deputy Commissioner; Directors***; General Counsel.***

I. The commissioner of the department of energy shall be appointed by the governor, with the consent of the council, and shall serve for a term of 4 years. The commissioner shall be qualified to hold that position by reason of education and experience. Directors of departmental divisions ***and the general counsel*** shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to

establish any advisory committees and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

II. The commissioner of energy shall nominate a deputy commissioner of energy for appointment by the governor and council. The deputy commissioner shall hold office for 4 years and until a successor has been appointed and qualified. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as the commissioner may assign. The deputy commissioner shall perform the duties of the commissioner if for any reason the commissioner is unable to do so.

III. Division directors shall be appointed to initial terms as stated below, and then subsequently to terms of 4 years. Terms notwithstanding, each division director shall serve until a successor has been appointed and qualified.

III-a. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commission may authorize.

(a) The commissioner shall nominate for appointment by the governor and council a director of the division of policy and programs for an initial term of one year. All subsequent terms shall be 4 years. The director of the division of policy and programs shall be qualified to hold that position by reason of education and experience.

(b) The commissioner shall nominate for appointment by the governor and council a director of the division of administration for an initial term of 2 years. All subsequent terms shall be 4 years. The director of the division of administration shall be qualified to hold that position by reason of education and experience.

(c) The commissioner shall nominate for appointment by the governor and council a director of the division of enforcement for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of enforcement shall be qualified to hold that position by reason of education and experience.

(d) The commissioner shall nominate for appointment by the governor and council a director of the division of regulatory support for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of regulatory support shall be qualified to hold that position by reason of education and experience.

IV. The salaries of the commissioner, the deputy commissioner, and each division director shall be as specified in RSA 94:1-a.

126 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15 to read as follows:

260:15 Copies of Certificates and Motor Vehicle Records.

I. The department may issue a certified copy of any certificate of registration, or of any license to drive motor vehicles which may have been lost or mutilated, upon the written request of

the person entitled thereto and the payment of the prescribed fee, and such certified copy shall have the same force and effect as the original.

II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee of [~~$13 for email or other computer-generated requests where payment is debited against an account established with the department, or $15 for all other requests~~] ***$17***, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

127 New Paragraph; Motor Vehicles; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding any law to the contrary, the department may provide driver history records to a federal entity for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14, V.

128 Department of Safety; Appropriation; Position Created. There is hereby established in the department of safety, division of fire safety, one full-time classified program assistant II position. The sum of $72,000 for the fiscal year ending June 30, 2024 and $74,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the division of fire safety. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

129 Department of Safety; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

130 Department of Safety; Transfer Funds and Establish Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may create full-time temporary positions for any positions on military deployment and transfer funds from class 010 into class 059 with approval from the department of administrative services.

131 Department of Safety; Substance Abuse Enforcement Program; Appropriations.

I. The sum of $408,297 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety. This sum shall be expended as follows:

(a) $119,217 shall be expended for the purpose of funding overtime at the state forensic laboratory as a result of increased caseloads attributable to narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

(b) $289,080 shall be expended for the purpose of funding overtime at the state police for narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

II. The sum of $833,684 for the fiscal year ending June 30, 2024 and $833,684 for the fiscal

year ending June 30, 2025 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. No appropriation made in this section shall lapse until June 30, 2025.

132 Public Safety and Welfare; Definitions; Emergency Medical Care Provider. Amend RSA 153-A:2, V to read as follows:

V. "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols, or New Hampshire fish and game department conservation officers, ***or those individuals administering Naloxone*** unless said individuals are performing invasive patient care procedures.

133 Public Safety and Welfare; Licensure of Emergency Medical Care Providers. Amend RSA 153-A:11, I to read as follows:

I. Except for automated external defibrillation pursuant to RSA 153-A:28-31, ***or the administration of Naloxone,*** a person shall not provide emergency medical services as a paid or volunteer member of a public or private emergency medical services unit in this state, or as a paid or volunteer member of any police or fire department who, as a condition of employment, may be expected to routinely provide emergency medical services in the line of duty, without being licensed by the commissioner.

134 Department of Safety; Appropriation; State and Local Cybersecurity Grant Program. The sum of $1,255,500 for the fiscal year ending June 30, 2024 and the sum of $1,614,215 for the fiscal year ending June 30, 2025 are hereby appropriated to the commissioner of the department of safety for the state and local cybersecurity grant program. Such funds shall be nonlapsing and continually appropriated to the commissioner of the department. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

135 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of $3,510,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 52 state police cruisers. This appropriation shall not lapse until June 30, 2025, provided that any unexpended amount following the purchases shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

136 Effective Date. Section 135 of this act shall take effect June 30, 2023.

137 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The

education trust fund appropriations to the department of education, in account 06-56-56-560040-3043, class line 652, for education freedom accounts, shall be reduced by $10,000,000 for the fiscal year ending June 30, 2024, and by $10,000,000 for the fiscal year ending June 30, 2025. The department shall report to the fiscal committees of the general court on such reductions.

138 Education Trust Fund. The introductory paragraph of RSA 198:39, I is repealed and reenacted to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than:

(a) To distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42.

(b) To distribute grants to municipalities school districts and to approved chartered public schools pursuant to RSA 194-B:11.

(c) To distribute kindergarten grants to municipalities' and school districts pursuant to RSA 198:48-c.

(d) To provide low and moderate income homeowners property tax relief under RSA 198:56-198:61.

(e) To distribute funds to scholarship organizations approved under RSA 77-G, that administer and implement RSA 194-F.

(f) To distribute phase-out grants to school districts under RSA 194-F:10.

(g) To fund costs necessary to provide the statewide assessment program required under RSA 193-C.

(h) To fund department of education operating costs for a state student data collection and reporting system, within budgeted appropriations.

(i) To fund department of education costs for administering programs funded by the education trust fund, within budgeted appropriations, plus any additional funding authorized pursuant to paragraph III.

(j) To distribute school building aid to school districts pursuant to RSA 198:15-b.

(k) To distribute tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9.

(l) To distribute special education aid to school districts pursuant to RSA 186-C:18.

(m) To distribute payments to education service providers on behalf of school districts for children with disabilities in certain court ordered placements or placements for an episode of treatment pursuant to RSA 186-C:19-b.

(n) To distribute grants for leased space to approved chartered public schools pursuant to RSA 198:15-hh.

II. The state treasurer shall deposit into the education trust fund immediately upon receipt:

(a) Funds certified to the state treasurer by the commissioner of revenue administration

pursuant to RSA 77-A:20-a, relative to business profits taxes.

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

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

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

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

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

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

(h) Tobacco settlement funds in the amount of $40,000,000 or, for any year in which the total tobacco settlement funds received by the state is less than $40,000,000, the total amount of tobacco settlement funds received by the state.

(i) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4 which were apportioned to school districts in the property tax rate calculations in 1998.

(j) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.

(k) Any other moneys appropriated from the general fund.

III. If required expenditures to administer programs funded by the education trust fund, pursuant to paragraph I, exceed amounts appropriated, the commissioner of education may request the fiscal committee of the general court authorize additional funding. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

IV. The education trust fund shall be nonlapsing. The state treasurer shall invest that part of the fund which is not needed for immediate distribution in short-term interest-bearing investments. The income from these investments shall be returned to the fund.

139 New Paragraph; Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Episode of Treatment. Amend RSA 193:27 by inserting after paragraph VI the following new paragraph:

VII. "Episode of treatment" means when a child needs to be placed by the department of health and human services (DHHS) in a DHHS-contracted and/or certified program to receive more intensive treatment and supports and has the objective of helping children in crisis avoid or reduce the use of psychiatric hospitals or emergency rooms.

140 Court Ordered Placements; Purpose and Application of Chapter. Amend RSA 169-F:1 to read as follows:

169-F:1 Purpose and Application of Chapter. This chapter shall apply to any court ordered placement ***or placement for an episode of treatment as defined in RSA 193:27, VII,*** of any minor pursuant to RSA 169-B or any child pursuant to RSA 169-C or RSA 169-D, for the purposes of the effective implementation of any such placement.

141 Special Education; State Aid. Amend RSA 186-C:18, III(a) to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements ***and episodes of treatment*** under RSA 186-C:19-b. The state may designate up to $250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional $250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

142 New Paragraph; Special Education; State Aid; Rulemaking by State Board of Education. Amend RSA 186-C:18,V by inserting after subparagraph (f) the following new subparagraph:

(g) Administering and distributing payment for episode of treatment costs as defined in RSA 193:27, VII.

143 Liability for Children with Disabilities in Certain Court Ordered Placements. Amend RSA 186-C:19-b to read as follows:

186-C:19-b Liability for Children With Disabilities in Certain Court Ordered Placements.

I.(a) As used in this section "children in placement for which the department of health and human services has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, 169-C, or 169-D, except children at the youth development center and children placed at the youth services center maintained by the department of health and human services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

(b) In the case of an out-of-district placement ***or placement for an episode of treatment***, the appropriate court shall notify the department of education on the date that the court order is signed, ***or the need for an episode of treatment is determined,*** stating the initial length of time for which such placement is made. This subparagraph shall apply to the original order ***or determination*** and all subsequent modifications of that order ***or determination***.

II. The school district liability for expenses for special education or for special education and related services for a child with a disability in placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.

(a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the department of education. Costs for which the department of education is liable under this section shall be paid to education service providers by the department of education. The department of education shall develop a mechanism for allocating the funds appropriated for the purposes of this section. ***Any costs of special education or special education and related services related to an episode of treatment and the determination of placement by the department of health and human services shall be covered in full for students with disabilities by the department of education.***

(b) The department of health and human services shall be liable for all court-ordered ***and episode of treatment*** costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.

(c) The department of education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall submit education service providers costs to the department within 30 days of receipt of such costs. The department shall then verify the cost and distribute the appropriate amounts to the education service provider.

III. The department of education shall by rules adopted under RSA 541-A establish the rates

charged by education service providers to the department of education or to school districts for children with disabilities in placement for which the department of health and human services has financial responsibility.

IV. The department of education is authorized to receive and take appropriate action on complaints regarding the failure to provide necessary special education or special education and related services to children with disabilities in placement for which the department of health and human services has financial responsibility.

V. [~~All appropriations made for the purposes of funding court-ordered placements shall be nonlapsing.~~] ***If the total amount required for court ordered placements or placements for an episode of treatment exceeds the amount appropriated to the department for such payments, the governor is authorized to draw a warrant from the education trust fund for such sum to satisfy the state's obligation under this section.***

144 Appropriation; Court Ordered Placements. There is hereby appropriated the sum of $9,200,000 from the education trust fund under RSA 198:39, in the fiscal year ending June 30, 2023, to the department of education for the purpose of paying costs associated with placements for an episode of treatment under RSA 186-C:19-b. This appropriation shall not lapse.

145 Effective Date. Section 144 of this act shall take effect June 30, 2023.

146 Education; Funding for Renovation and Expansion; CTE. Amend RSA 188-E:10 to read as follows:

188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional career and technical education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the construction, renovation, expansion, or replacement of qualified regional career and technical education centers or regional career and technical education programs authorized in the [~~capital~~] budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state [~~capital project~~] authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a [~~capital~~] budget request a priority list of facilities and programs eligible for construction, renovation, expansion, or replacement provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the [~~capital~~] budget procedure [~~pursuant to RSA 9:3-a~~], provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for [~~capital~~]

appropriation [~~under RSA 9:3-a~~] unless directed by the priority list of the department of education;

(d) Each school district requesting funds from the department of education establishes and funds a construction, renovation, expansion, and replacement reserve fund, which shall be used by the school district to pay construction, renovation, expansion, and replacement costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(4) Allows for matriculation into a postsecondary venue.

(5) Meets all industry and building standards.

(6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, career and technical education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the [~~capital~~] budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A.

147 Department of Education; Appropriation; CTE Renovation Projects; Sugar River Valley Regional Technical Center.

I. Notwithstanding the provisions of RSA 198:39, I, the department of education shall be appropriated $12,514,533 in the fiscal year ending June 30, 2023, from the education trust fund for career and technical education renovation projects. Such funding shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. Any unexpended funds after the completion of the project shall be returned

to the education trust fund. Such funds shall be expended to renovate the Sugar River Valley Regional Technical Center in Newport.

148 Appropriation. Department of Education; Winnisquam Regional CTE Renovation Project; Contingency for HB 25 Funding.

I. For the fiscal year ending June 30, 2023, the department of education is appropriated $7,649,663 from the education trust fund for the purpose of the Winnisquam regional career and technical education renovation project. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. The appropriation shall be nonlapsing and any unexpended funds after the completion of the project shall be returned to the education trust fund.

II. If HB 25-A of the 2023 regular session becomes law, the appropriation for the approved Winnisquam regional career and technical education renovation project section 1, paragraph III, of HB 25 shall not take effect, and shall be replaced by the funding in paragraph I of this section. The amount of such appropriation shall be deducted from the total of capital appropriations in section 1 of HB 25 and from the total authorized bonded amount in section 5 of HB 25.

149 Effective Date. Sections 147 and 148 of this act shall take effect June 30, 2023.

150 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, [~~2015~~] ***2023***, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d.

II.(a) A cost of [~~$3,561.27~~] ***$4,100*** per pupil in the ADMR, plus differentiated aid as follows:

(b) An additional [~~$1,780.63~~] ***$2,300*** for each pupil in the ADMR who is eligible for a free or reduced price meal anytime during the determination year; plus

(c) An additional [~~$697.77~~] ***$800*** for each pupil in the ADMR who is an English language learner anytime during the determination year; plus

(d) An additional [~~$1,915.86~~] ***$2,100*** for each pupil in the ADMR who is receiving special education services anytime during the determination year[~~; plus~~

~~(e) An additional $697.77 for each third grade pupil in the ADMR with a score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6 or the authorized, locally-administered assessment as provided in RSA 193-C:3, IV(i), provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d). A school district receiving aid under this subparagraph shall annually provide to the department of education documentation demonstrating that the district has implemented an instructional program to improve non-proficient pupil reading~~].

III. The sum total calculated under paragraph II shall be the cost of an adequate education.

The department shall determine the cost of an adequate education for each municipality based on the ADMR of pupils who reside in that municipality.

151 Annual Adjustment; Relief Funding. RSA 198:40-d is repealed and reenacted to read as follows:

198:40-d Annual Adjustment. Beginning July 1, 2024 and every year thereafter, the department of education shall adjust the following with an increase of 2 percent annually:

I. Per pupil costs in RSA 198:40-a, II;

II. Extraordinary need grant "grant floor," "grant ceiling," "factor," and "max grant" as defined in RSA 198:40-f, II, (a)-(d); and

III. Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

152 Repeal. RSA 198:40-e, relative to relief funding, is repealed.

153 Extraordinary Need Grants; 2023. Amend RSA 198:40-f to read as follows:

198:40-f Extraordinary Need Grants.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,000,000~~] ***$1,600,000*** or less shall receive [~~$650~~] ***$8,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,000,001~~] ***$1,600,001*** and [~~$5,999,999~~] ***$6,599,999*** shall receive a grant equal to [~~$0.00013~~] ***$0.0017*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,000,000~~] ***$6,600,000***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,000,000~~] ***$6,600,000*** or more shall not receive an extraordinary need grant.

II. [~~In order to receive an extraordinary need grant, the eligible school district shall provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. The extraordinary need grant plan shall include an accountability component designed to generate data that measures student academic achievement and growth of knowledge and skills in reading and language arts and/or mathematics at what grade levels funds will be used. The school district shall develop and administer its own grant accountability assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning, or use the statewide assessment. The school district shall submit to the department an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets. The primary goal of this grant is to improve student~~

~~achievement and growth and to help the school district to have funding for successful, best practice student learning approaches.~~] ***In this section:***

(a) The $1,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The $6,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The $0.0017 for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The $8,500 per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

III. Extraordinary need grants shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation per pupil eligible to receive a free or reduced-price meal" means a municipality's equalized valuation[~~, excluding properties subject to taxation under RSA 82 and equalized payments in lieu of taxes,~~] as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMR in the determination year eligible to receive a free or reduced-price meal.

154 Extraordinary Need Grants; 2025. Amend RSA 198:40-f, I and II to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,600,000~~] ***$1,664,640*** or less shall receive [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,600,001~~] ***$1,664,641*** and [~~$6,599,999~~] ***$6,866,639*** shall receive a grant equal to [~~$0.00170~~] ***$0.00221*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,600,000~~] ***$6,866,640***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,600,000~~] ***$6,866,640*** or more shall not receive an extraordinary need grant.

II. In this section:

(a) The [~~$1,600,000~~] ***$1,664,640*** in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The [~~$6,600,000~~] ***$6,866,640*** in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The [~~$0.00060~~] ***$0.00221*** for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

155 Effective Date. Section 154 shall take effect on July 1, 2025.

156 Determination of Education Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of Education Grants.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; and

(c) [~~[Repealed.]~~

~~(d) Add the municipality's additional aid for relief funding pursuant to RSA 198:40-c.~~

~~(e)~~] Add the municipality's extraordinary need grant pursuant to RSA 198:40-f.

[~~II. For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for each municipality as the lesser of the 2 following calculations:~~

~~(a) The amount calculated in accordance with paragraph I of this section; or~~

~~(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year.~~

~~III.(a) For the biennium ending June 30, 2013, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant in the second year of the previous biennium.~~

~~(b) [Repealed.]~~

~~IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.~~

~~(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed~~

~~pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.~~

~~(c) For fiscal year 2014 through fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.~~

~~(d) For fiscal year 2024 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMR is zero.~~]

II. For fiscal year 2024 and fiscal year 2025, the department of education shall distribute a hold harmless grant equal to any amount in which a municipality's adequacy grant is less than 104 percent of the fiscal year 2024 preliminary estimate for the adequacy grant as of November 15, 2022. No municipality with a current adequacy grant amount that exceeds the fiscal year 2024 preliminary estimate shall receive a hold harmless grant. No hold harmless grant shall be distributed to any municipality in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education.

III. Beginning in fiscal year 2026, the hold harmless grant calculated under paragraph II shall decrease as a percent of the amount awarded under the following schedule:

(1) 80 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2026 and fiscal year 2027.

(2) 60 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2028 and fiscal year 2029.

(3) 40 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2030 and fiscal year 2031.

(4) 20 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2032 and fiscal year 2033.

(5) No hold harmless grant shall be awarded for fiscal year 2034 and each

year thereafter.

[~~V.~~] *IV.* The department shall use the best available data and methods to estimate ADMR and education grants by November 15 of the year preceding the school year for which aid is determined.

[~~VI.~~] *V.* The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] *IV*. The commissioner of the department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

[~~VII.~~] *VI.* When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] *IV*. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

[~~VIII.~~] *VII.* Reports of grant determinations for municipalities required pursuant to paragraphs [~~V-VII~~] *IV- VI* shall be available to the public by the date specified in paragraphs [~~V-VII~~] *IV- VI*, and the department shall make available a report for multi-town school districts and municipalities with multiple school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

157 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1)(A) to read as follows:

(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of [~~$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and $3,411 to all chartered public schools for the fiscal year ending June 30, 2019~~] ***$4,900 to all chartered public schools for the fiscal year ending June 30, 2024*** and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in the chartered public school's ADMA. Beginning July 1, [~~2017~~] ***2024*** and every [~~biennium~~] ***fiscal year*** thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor~~] ***pursuant to RSA 198:40-d.*** The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e), plus

an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the chartered public school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition amounts pursuant to RSA 198:40-a, II(a) plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed~~] ***pursuant to RSA 198:40-d.***

158 Repeal; Third Grade Reading Accountability. RSA 193-C:3, IV(i), relative to grade 3 statewide education improvement and assessment program data, is repealed.

159 State Maintenance of Equity. Amend 2021, 91:58, III to read as follows:

III. Any state aid distributed under this section shall be an education grant in addition to the state grant calculated under RSA 198:41 ***and RSA 194-B:11*** and shall be distributed to school districts ***and chartered public schools*** accordingly. Depending on how the United States Department of Education allows states to define "pupil" as it relates to determining state aid per pupil under Section 2004(b) of the American Rescue Plan Act of 2021, the department of education may experience delays in accurately collecting pupil data to meet the definition as defined by the United States Department of Education, thereby delaying the calculation of the grant award. If such delay occurs, the department of education may issue the grants described in this section up to 120 days after the end of the applicable fiscal year being assessed for compliance with federal law.

160 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a, II-a(c) to read as follows:

(c) The appropriations budgeted in class 027-transfers to DoIT, class 028-transfers to general services, ***class 040-indirect costs,*** class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, [~~and~~] class 064-retiree pension benefit-health insurance, ***class 210-bond insurance, and class 211-property and casualty insurance,*** shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO.

161 New Paragraph; Budget and Appropriations. Amend RSA 9:16-a, II-a by inserting after subparagraph (d) the following new subparagraph:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation,

class 064-retiree pension benefit-health insurance, class-210 bond insurance, and class-211 property casualty insurance.

162 Medical and Surgical Benefits. Amend RSA 21-I:30, XV to read as follows:

XV. Funds appropriated for the purposes of this section shall not be transferred or used for any other purpose ***and shall be nonlapsing***.

163 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:

99:4 .Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the [~~director of personnel~~] ***commissioner of the department of administrative services***, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are [~~deemed necessary to comply with RSA 98~~] ***necessary to pay any legally authorized salaries for employees in the classified system, followed by an annual informational report to the governor and council after fiscal year end.***

164 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, [~~subject to the approval of governor and council,~~] the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit, ***followed by an annual informational report to the governor and council after fiscal year end.*** Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section.

165 Department of Administrative Services; State Budget Office. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

21-I:6 Budget Office. There is hereby established within the office of the commissioner of

administrative services a state budget office under the supervision of an unclassified budget [~~director~~] ***officer*** who shall:

166 Department of Administrative Services; Planning and Design Costs. Amend RSA 21-I:85 to read as follows:

21-I:85 Planning and Design Costs. [~~The division of public works design and construction shall not perform any design and planning work for any non general fund state agency unless the division is reimbursed for such work by the agency.~~] ***The department of administrative services shall bill state agencies for any design, planning, project management, and/or inspection work for all capital construction projects administered through the department, and for any operating projects that are funded in full or in part with federal funds, agency income, or funding sources other than general funds.***

167 Appropriation; Department of Administrative Services; Technology Upgrades. There is hereby appropriated to the department of administrative services the sum of $7,800,000 for the fiscal year ending June 30, 2023, for the purpose of technology upgrades to ensure the sustainability of the state's financial, payroll and budgeting system. The sum appropriated shall be nonlapsing, provided that any unexpended amount following completion of the project shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

168 Effective Date. Section 167 of this act shall take effect June 30, 2023.

169 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph III the following new paragraph:

III-a. The commission shall elect a chairperson, vice-chairperson, and a recorder.

170 State Commission on Aging. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms***, with the exception of the chairperson, vice-chairperson, and recorder, who may service an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated.*** Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. [~~Thirteen~~] ***A majority of the*** members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

171 State Commission on Aging. Amend RSA 19-P:1, V to read as follows:

V. The commission shall be authorized to select and hire select an executive director by a

vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. [~~The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated.~~] The commission shall hold no fewer than 9 regular meetings per year.

172 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph V the following new paragraph:

VI. The commission on aging shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

173 New Paragraph; Duties of the State Commission on Aging. Amend RSA 19-P:2 by inserting after paragraph XIV the following new paragraph:

XV. Accepting and utilizing for its purposes, functions, and duties as set forth in this chapter public and private grants, gifts, donations, and contributions of money and other assets and properties, real and personal, of all types and kinds, without limitations.

174 Corrections Officers' Salaries.

I. Effective July 14, 2023, part-time corrections officers and corrections officer corporals shall be compensated in accordance with the salary schedule applicable to full-time corrections officers and corrections officer corporals.

II. Effective July 14, 2023, corrections officer majors shall be compensated in accordance with the salary schedule applicable to corrections officer lieutenants, sergeants, and captains.

175 Parking; Concord. The department of administrative services is authorized to spend such funding as appropriated for additional parking for full-time and part-time employees who are assigned to the downtown Concord area and who are not provided a state-provided parking space for their personal vehicle.

176 Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	62,406	66,467	70,557	74,618	78,679	82,740	86,830
BB	64,894	69,127	73,359	77,592	81,825	86,058	90,291
CC	67,897	72,330	76,763	81,196	85,629	90,062	94,495
DD	71,500	76,162	80,824	85,514	90,176	94,838	99,500
EE	75,705	80,652	85,629	90,577	95,524	100,472	105,449
FF	80,938	86,258	91,549	96,869	102,160	107,451	112,770
GG	87,373	93,093	98,842	104,562	110,282	116,031	121,751
HH	95,153	101,387	107,622	113,886	120,120	126,384	132,619
II	100,587	107,193	113,800	120,406	127,042	133,648	140,255

JJ	106,049	112,999	119,977	126,956	133,934	140,913	147,891
KK	108,738	115,888	123,066	130,216	137,366	144,516	151,666
LL	0	0	0	0	0	0	156,500
MM	0	0	0	0	0	0	161,791
NN	0	0	0	0	0	0	167,997
OO	0	0	0	0	0	0	175,233
PP	0	0	0	0	0	0	183,927
QQ	0	0	0	0	0	0	194,366

177 Salary Wages for Councilors and Commissioners; July 14, 2023. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 14, 2023:

	Maximum
Governor's councilors	$19,734
Racing and charitable gaming commissioners	$15,301
Sweepstakes commission, chairman	$22,251
Sweepstakes commission, members	$12,527

178 Compensation for Certain State Officers; Unclassified State Employees; July 12, 2024. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	63,655	67,797	71,969	76,111	80,253	84,395	88,567
BB	66,192	70,510	74,827	79,144	83,462	87,780	92,097
CC	69,255	73,777	78,299	82,820	87,342	91,864	96,385
DD	72,930	77,686	82,441	87,225	91,980	96,735	101,490
EE	77,220	82,266	87,342	92,389	97,435	102,482	107,558
FF	82,557	87,984	93,380	98,807	104,204	109,601	115,026
GG	89,121	94,955	100,819	106,654	112,488	118,352	124,187
HH	97,057	103,415	109,775	116,164	122,523	128,912	135,272
II	102,599	109,337	116,076	122,815	129,583	136,321	143,061
JJ	108,170	115,259	122,377	129,496	136,613	143,732	150,849
KK	110,913	118,206	125,528	132,821	140,114	147,407	154,700
LL	0	0	0	0	0	0	159,630
MM	0	0	0	0	0	0	165,027
NN	0	0	0	0	0	0	171,357
OO	0	0	0	0	0	0	178,738
PP	0	0	0	0	0	0	187,606

QQ	0	0	0	0	0	0	198,254

179 Salary Wages for Councilors and Commissioners; July 12, 2024. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 12, 2024:

	Maximum
Governor's councilors	$20,129
Racing and charitable gaming commissioners	$15,608
Sweepstakes commission, chairman	$22,697
Sweepstakes commission, members	$12,778

180 Department of Justice; Attorney Salaries; July 14, 2023. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on July 14, 2023:

	Minimum	Market anchor	Maximum
	$60,778		$140,802
Attorney		$73,264	
Assistant attorney general		$99,796	
Senior assistant attorney general		$123,208	
Associate attorney general		$135,695	

181 Legislative Employees; July 14, 2023. Legislative employees shall receive 10 percent salary increases effective July 14, 2023, if such increases are approved by the appointing authority.

182 Legislative Employees; July 12, 2024. Legislative employees shall receive 2 percent salary increases effective July 12, 2024 if such increases are approved by the appointing authority.

183 Judicial Salaries; July 14, 2023. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$204,076
Associate justices, supreme court	$197,937
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$197,937
Associate justices, superior court	$185,638
District court justices prohibited from practice pursuant to RSA 502-A:21	$185,638
Probate judges prohibited from practice pursuant to RSA 547:2-a	$185,368

184 Judicial Salaries; July 12, 2024. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$208,157
Associate justices, supreme court	$201,895
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$201,895
Associate justices, superior court	$189,350
District court justices prohibited from practice pursuant to RSA 502-A:21	$189,350
Probate judges prohibited from practice pursuant to RSA 547:2-a	$189,350

185 Judicial Employees; July 14, 2023. All unrepresented judicial employees shall receive 10 percent salary increases effective July 14, 2023.

186 Judicial Employees; July 12, 2024. All unrepresented judicial employees shall receive 2 percent salary increases effective July 12, 2024.

187 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 10 percent salary increases effective July 14, 2023.

188 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 2 percent salary increases effective July 12, 2024.

189 Appropriations.

I. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2024:

FY 2024

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$101,554,000	$44,900,000	$3,394,000	$16,702,000	$9,262,000	$1,826,000	$875,000	$24,595,000

II. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2025:

FY 2025

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$123,896,000	$54,778,000	$4,140,000	$20,377,000	$11,300,000	$2,228,000	$1,067,000	$30,006,000

III. The department of administrative services is authorized to make any rounding adjustments of up to +$.01 per hour as needed to properly process the employee's payroll within the currently designed human resources/payroll system (NH FIRST).

IV. The governor is authorized to draw a warrant to the general fund portion of said sums out of any money in the treasury not otherwise appropriated.

190 Effective Date.

I. Sections 176, 177, 180, and 183 of this act shall take effect July 14, 2023.

II. Sections 178, 179, and 184 of this act shall take effect July 12, 2024.

191 Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read as follows:

77-A:20-a Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of 1.5 percent in the rate of~~] ***the*** tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

192 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to read as follows:

77-E:14 Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of .50 percent in the rate of~~] ***the*** tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

193 Department of Health and Human Services, Division of Public Health Services, Choose Love Program. There is hereby appropriated to department of health and human services, division of public health services the sums of $250,000 for the fiscal year ending June 30, 2024, and $250,000 for the fiscal year ending June 30, 2025, for the purpose of operating the choose love program and funding 2 classified positions as determined by the director of public health services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

194 New Paragraph; Department of Health and Human Services; Authorization to Fill Unfunded Positions. Amend RSA 126-A:4 by inserting after paragraph VI the following new paragraph:

VII. The department of health and human services shall have the authority to fill unfunded positions, provided that the total expenditure for such positions shall not exceed the amount

appropriated to the department for personal services.

195 Department of Health and Human Services; Foster Grandparent Program. The sum of $200,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196 Congregate Housing; Appropriation. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196-a Effective Date. Sections 195 and 196 shall take effect June 30, 2023.

197 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2025, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis, provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.

198 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as amended by 2019, 346:61, I, as amended by 2021, 91:404 to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2023~~] ***2025.***

199 Graduate Medical Education Payments Suspended. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2025. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2025.

200 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2025.

201 Medicaid to Schools Program; Fiscal Committee Approval of Supplemental Funding. For

the biennium ending June 30, 2025, in the event funds appropriated in accounting unit 05-95-47-0010-7207 Medicaid to schools, are insufficient, the department of health and human services may accept and expend additional federal funds with the prior approval of the fiscal committee of the general court. Any request to the fiscal committee shall include a detailed explanation of the types of assistance the department is providing to school districts to ensure eligibility for reimbursement under the Medicaid to schools program.

202 Department of Health and Human Services; Division of Medicaid Services. Any funds appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending June 30, 2023 shall not lapse until June 30, 2025, and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

202-a Effective Date. Section 202 of this act shall take effect June 30, 2023.

203 Department of Health and Human Services; Preventative Health Care Benefits; Medicaid Program. The commissioner of the department of health and human services shall, if necessary, submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and provide preventative health care benefits under the state Medicaid program, including but not limited to nicotine cessation, transitional care management, chronic care management, diabetes prevention program, and screening, brief intervention, and referral to treatment (SBIRT) services. In addition, the commissioner may adopt rules under RSA 541-A, relative to the preventative health care benefits described in this section.

204 Department of Health and Human Services; Transfer Between Certain Classes. Notwithstanding any other provision of law, the department of health and human services is hereby authorized to transfer funds between classes 072, 074, 102, and 103, and create new class lines for classes 072, 074, 102, and 103, in order to comply with federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

205 Health Facility Licensing; Inspection. Amend RSA 151:6, II to read as follows:

II. The department of health and human services may require by rule that any licensee or prospective applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the [~~department of health and human services~~] ***department of safety, division of fire safety*** for preliminary inspection and approval or recommendations.

206 Repeal. RSA 151:53, relative to the workplace violence prevention program, is repealed.

207 New Chapter; Health Care Workplace Violence Prevention Program. Amend RSA by inserting after chapter 277-B the following new chapter:

CHAPTER 277-C

HEALTH CARE WORKPLACE VIOLENCE PREVENTION PROGRAM

277-C:1 Definitions. In this chapter:

I. "Health facility" means an acute care, rehabilitation, psychiatric, or substance abuse treatment hospital, or an urgent care center licensed under RSA 151; provided that a facility with more than one physical location shall be considered a single health facility; and provided that "health facility" shall not include state-operated medical facilities, and voluntary compliance by a state-operated facility shall not subject such facility to the requirements of this section. The term "health facility" shall not include any non-hospital affiliated urgent care with less than 3 clinics in New Hampshire.

II. "Workplace violence" means any act or threat of physical violence, harassment, intimidation, or other threatening behavior.

III. "Hostile words" means aggressive and belligerent verbal abuse in which the recipient reasonably believes that the speaker intends to injure or create excessive stress, or in which the recipient suffers actual psychological trauma.

277-C:2 Health Care Workplace Violence Prevention Program.

I. Except as provided in paragraph II, health facilities shall implement and maintain a workplace violence prevention program. Said program shall consider the size and complexity of the health facility and shall address the following topics, and others deemed appropriate by the health facility, the goal of which is to encourage participation and address prevention, recognition, response, and reporting of workplace violence:

(a) Policies and procedures to prevent and respond to workplace violence and hostile words.

(b) Appropriate training, education, and resources to employees based on their roles and responsibilities. Said training, education, and resources shall include:

(1) Education on what constitutes workplace violence and hostile words.

(2) Education on the roles and responsibilities of leadership, clinical staff, security personnel, if applicable, and external law enforcement.

(3) Training in de-escalation, nonphysical intervention skills, response to emergency incidents, and at the discretion of the health facility, physical intervention techniques.

(4) The reporting process for workplace violence and hostile words incidents.

(c) A process to report workplace violence and hostile words incidents internally and externally in order to analyze incidents and trends.

(d) A process for follow-up and to support victims and witnesses affected by workplace violence or hostile words, including information about available counseling.

(e) A process to conduct an annual facility-specific risk assessment, which shall:

(1) Examine all existing and potential workplace violence and hostile words risks, including environmental and patient-specific risk factors, the health facility's workplace violence and hostile words incidents, and how the program's policies and procedures, training, education, and environmental design reflect best practices and conform to applicable laws and regulations; and

(2) Be used to develop recommendations to reduce the risk of workplace violence and hostile words.

II. A health facility accredited by the Joint Commission on the accreditation of healthcare organizations may give proof of compliance with Joint Commission standards on workplace violence prevention to the health care workplace safety commission established in RSA 151-J, in lieu of paragraph I.

III. The commissioner of the department of labor shall monitor participation in the workplace violence prevention program so that participation status is proactively known and that this status is properly reported in the annual report described in RSA 151-J:7.

IV. Each health facility shall prepare and submit to the health care workplace safety commission established in RSA 151-J an annual report containing all workplace violence and hostile words incidents reported to the health facility directed at an employee by a patient, coworker, supervisor, manager, or other individuals who have a personal relationship with a patient. The chair of the health and human services oversight committee, established in RSA 126-A:13, with the advice of the health care workplace safety commission, may recommend updates to New Hampshire statutes or recommend updates to the rules adopted for the implementation of this section. The commissioner of the department of labor, in consultation with the health care workplace safety commission and the health and human services oversight committee, shall adopt rules pursuant to RSA 541-A deemed necessary for the implementation of this section, including a common reporting form.

V.(a) The annual report required under paragraph IV shall include but not be limited to, for each workplace violence or hostile words incident, a description of:

(1) The incident, including environmental and patient-specific risk factors present at the time of the incident, as well as the appropriate categorization of the incident as workplace violence and/or hostile words.

(2) The date, time, and location of the incident.

(3) The nature and extent of injuries to employees.

(4) A classification, but not any identifiable personal information, of each perpetrator who committed the violence, including whether the perpetrator was:

(A) A patient;

(B) An individual who has or is known to have had a personal relationship with a patient;

(C) A coworker, supervisor; or manager; or

(D) Any other appropriate classification.

(5) How the incident was abated, including any incident response and post-incident investigation.

(6) If the incident involves a patient, the patient's name or other similar identifier shall not be included in the report, provided that the report may include the patient's diagnosis code and whether or not behavioral health or disability were a factor.

(7) The percentage of employees that have participated in the workplace violence prevention program in the reporting year immediately preceding the incident. This percentage shall be an annual point in time percentage and is not intended to be a rolling number calculated upon each incident.

(b) The report shall preserve the reporting distinction between workplace violence and hostile words incidents. There shall not be any identifiable personal information included in any report unless contained within an attached police report or other official report of a governmental entity. No person or health care facility shall retaliate in any manner against any reporting individual acting in good faith, or otherwise discriminate against, a person, employee, or subordinate who exercises any rights under this section or rules adopted pursuant to this section, or by any policy or procedure promulgated under this section or RSA 151-J, including but not limited to reporting of a workplace violence or hostile words incident or otherwise providing notice to the health facility regarding the occupational health and safety of the employee or their fellow employees exposed to workplace violence or hostile words risk factors. Nothing in this section shall be construed to authorize an employee to refuse to discharge his or her ordinary and customary duties in the workplace.

(c) The confidentiality provisions contained within RSA 151-J:5 shall apply to records collected pursuant to this chapter.

VI. The commissioner of the department of labor shall be responsible for maintaining, in an easily navigable, searchable, distinct page on the department's website, a database to share information on the activities of the New Hampshire health care workplace safety commission. Topics included on the page shall include, but not be limited to:

(a) A listing of all health care facilities by name, with their business address included, which are subject to the provisions of the workplace violence prevention program.

(b) The participation status of each facility as active, inactive, or unknown.

(c) The dates of each meeting of the New Hampshire health care workplace safety commission.

(d) Annually, a press release shall be issued within 60 days of the end of the calendar year, highlighting the active participation of health care facilities and any major findings or recommendations.

VII. Notwithstanding the requirements of this chapter, a health facility that is an urgent care center shall not be required to comply with this chapter before July 1, 2024.

208 Duties; Health Care Workplace Safety Commission. Amend RSA 151-J:2, I(c) to read as follows:

(c) Propose changes to the health and human services oversight committee, established in RSA 126-A:13, ***the commissioner of the department of labor,*** and [~~to~~] the commissioner of the department of health and human services that will improve the safety of the health care workplace.

209 Confidentiality; Health Care Workplace Safety Commission. Amend RSA 151-J:5, I to read as follows:

I. All information, other than police reports, submitted to or collected by the commission, including, but not limited to, written, oral, and electronic information; records and proceedings of the commission, including, but not limited to, oral testimony and discussions, notes, minutes, summaries, analyses, and reports; and information disseminated by the commission or its members to hospitals and urgent care centers shall be confidential and privileged***, shall be exempt from RSA 91-A,*** and shall be protected from direct or indirect means of discovery, subpoena, or admission into evidence in any judicial, administrative, or other type of proceeding. The provision of information to the commission and the dissemination of information by the commission shall not be deemed to void, waive, or impair in any manner the confidentiality protection of this section or which the information may have under any other law or regulation.

210 Administration; Health Care Workplace Safety Commission. Amend RSA 151-J:6 to read as follows:

151-J:6 Administration. The commission may delegate to the department of [~~health and human services~~] ***labor*** the functions of collecting, analyzing, and disseminating workplace violence information, organizing and convening meetings of the commission, and other substantive and administrative tasks as may be incident to these activities or directed by the commission. The activities of the department of [~~health and human services~~] ***labor*** and its employees or agents shall be subject to the same confidentiality provisions and data privacy as those that apply to the commission.

211 Rulemaking; Health Care Workplace Safety Commission. Amend RSA 151-J:8 to read as follows:

151-J:8 Rulemaking. The commissioner of the department of [~~health and human services~~] ***labor***, with the advice of members of the commission, shall adopt rules pursuant to RSA 541-A, to assure de-identification of all individuals and facilities involved in the incidents received.

212 Appropriation; New Hampshire Health Care Workplace Safety Commission. The sum of $100,000 for the fiscal year ending June 30, 2024, and $100,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of labor for the purpose of establishing and hiring one program specialist IV position at labor grade 25 within the department of labor, office of

administration, to implement the department's responsibilities relative to the New Hampshire health care workplace safety commission established in RSA 151-J. Such appropriations shall be funded 10 percent as a charge against the restricted fund established pursuant to RSA 273:1-b and 90 percent as a charge against the workers' compensation administration fund established under RSA 281-A:59.

213 Prospective Repeal; 2034. RSA 277-C, relative to the health care workplace violence prevention program, is repealed.

214 Effective Date. Section 213 of this act shall take effect March 1, 2034.

215 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV, as amended by 2019, 346:64 and 2021, 91:27 to read as follows:

IV. Section 10 of this act shall take effect June 30, [~~2023~~] ***2025***.

216 Effective Date. Section 215 of this act shall take effect June 30, 2023.

217 Department of Health and Human Services; Unclassified Positions Established.

I. The following unclassified positions are established in the department of health and human services:

(a) Medicaid pharmacy director.

(b) Pharmaceutical service specialist.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner: #30278; #12433 .

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

218 Department of Health and Human Services; Unclassified Positions Established; Appropriation.

I. The following unclassified positions are established in the department of health and human services:

(a) Twenty four staff attorney positions.

(b) Five supervisory staff attorney positions.

(c) Three supervising attorney positions.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter

appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner:

(a) Attorney II:

#11677	#15803	#16212	#16248	#19145
#40083	#40084	#40085	#40086	#40087
#40088	#40089	#40090	#40091	#40092
#40093	#40095	#40096	#40396	#43485
#44216	#44217	#44355	#44380	#44539
#44560	#44561	#TMPPT5726	#TMPPT5779	

(b) Attorney III:

#15402	#19766	#44562

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the newly established unclassified positions.

V. There is hereby appropriated to the department of health and human services the sums of $141,000 for the fiscal year ending June 30, 2024, and $140,000 for the fiscal year ending June 30, 2025, for the purpose of compensating the newly established unclassified positions in this section. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

219 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2022-2023~~] ***2024-2025***:

(1) State fiscal year [~~2022~~] ***2024***, [~~$129,362,411~~] ***$131,849,659***

(2) State fiscal year [~~2023~~] ***2025***, [~~$131,849,659~~] ***$131,849,659***;

220 Appropriation; Department of Health and Human Services; Choices for Independence. The sums of $4,750,000 in the fiscal year 2024 and $10,350,000 in the fiscal year 2025 are hereby appropriated to the department of health and human services for the purpose of funding Choices for Independence, a Medicaid-funded program that provides a wide range of service choices that enable eligible adults to stay in their own homes and communities. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

221 Appropriation; Department of Health and Human Services; Medicaid Management Information System. The sum of $20,531,625 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of funding the Medicaid management information system. Said sum shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal

committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

222 Effective Date. Section 221 of this act shall take effect June 30, 2023.

223 Appropriation; Department of Health and Human Services; Medicaid Unwind. In the event that expenditures from 05-95-47-470010-7948 or 05-95-47-470010-7051 are greater than the amounts appropriated, due to the Medicaid unwinding process and continuous eligibility requirements, the commissioner may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

224 Appropriation; Department of Health and Human Services; Moving One District Office. There is hereby appropriated the sum of $533,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of moving one district office. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

225 Effective Date. Section 224 of this act shall take effect June 30, 2023.

226 Appropriation; Department of Health and Human Services; Vehicles and Equipment at New Hampshire Hospital. There is hereby appropriated the sum of $200,000 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing vehicles and clinical equipment at New Hampshire hospital. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

227 Effective Date. Section 226 of this act shall take effect June 30, 2023.

228 Appropriation; Department of Health and Human Services; IT Consultants; Analysis. The sum of $1,500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to manage projects and perform analysis to support IT building automated solutions to streamline business processes. The department of health and human services may accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

229 Effective Date. Section 228 of this act shall take effect June 30, 2023.

230 Appropriation; Department of Health and Human Services; IT Consultants; Automated Solutions. The sum of $1,950,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to develop and implement automated solutions to streamline

business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

231 Effective Date. Section 230 of this act shall take effect June 30, 2023.

232 Appropriation; Department of Health and Human Services; Food Stamp Eligibility. There is hereby appropriated the sum of $125,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services, for the purpose of replacing a legacy database used for pulling quality samples for food stamp eligibility reviews. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

233 Effective Date. Section 232 of this act shall take effect June 30, 2023.

234 Appropriation; Department of Health and Human Services; DHHS Offices. There is hereby appropriated the sum of $410,100 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing aging switches, routers, and wireless access point at DHHS offices. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

234-a Effective Date. Section 234 of this act shall take effect June 30, 2023.

235 Appropriation; Department of Health and Human Services; Temporary Assistance For Needy Families; Maintenance of Effort. There is hereby appropriated to the department of health and human services the sums of $3,000,000 for the fiscal year ending June 30, 2024, and $3,000,000 for the fiscal year ending June 30, 2025, to ensure maintenance of effort funding is sufficient to meet the federal temporary assistance for needy families maintenance of effort levels. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

236 Appropriation; Department of Health and Human Services; Nutrition and Transportation Services. There is hereby appropriated to the department of health and human services the sums of $3,404,991 for the fiscal year ending June 30, 2024, and $3,404,991 for the fiscal year ending June 30, 2025, for the purpose of funding Title XX service rates for nutrition and transportation service rates. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

237 Appropriation; Department of Health and Human Services; Foster Care Rates. There is hereby appropriated to the department of health and human services the sums of $870,481 for the fiscal year ending June 30, 2024, and $957,529 for the fiscal year ending June 30, 2025, for the purpose of increasing foster care rates. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

238 Appropriation; Department of Health and Human Services; Medicaid Provider Rate Increases. There is hereby appropriated to the department of health and human services the sums of $12,000,000 for the fiscal year ending June 30, 2024, and $12,000,000 for the fiscal year ending June 30, 2025, for the purpose of increasing Medicaid provider rates, excluding rates for hospital inpatient and hospital outpatient services. The department shall utilize such funds to increase rates pursuant to section 1902 (a)(30)(A) of the Social Security Act, to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department may accept and expend any federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

239 Appropriation; Department of Health and Human Services; Targeted Medicaid Rate Increases. In addition to any other sums appropriated, there is hereby appropriated to the department of health and human services the following amounts for the purpose of increasing rates paid to service providers. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said rate increases shall go into effect no later than January 1, 2024. If feasible, the department shall implement any of the rate increases prior to that date, with priority given to those the commissioner has deemed most critical. For all appropriations below, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. For each appropriation, the department shall report to the fiscal committee of the general court, by October 1, 2023, the accounting units in the state operating budget to which funds will be or have been allocated, along with the rate increases that will be provided from the funds appropriated:

I. $4,677,979 in the fiscal year ending June 30, 2024 and $9,355,958 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to nursing homes.

II. $2,154,309 in the fiscal year ending June 30, 2024 and $4,308,618 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for all Choices for Independence providers not provided rate increases elsewhere in this section.

III. $708,678 in the fiscal year ending June 30, 2024 and $1,417,355 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to assisted living facilities.

IV. $483,000 in the fiscal year ending June 30, 2024 and $966,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to home health aides.

V. $70,691 in the fiscal year ending June 30, 2024 and $141,382 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for home delivered meals paid to Meals on Wheels providers.

VI. $736,954 in the fiscal year ending June 30, 2024 and $1,473,908 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for private duty nursing providers.

VII. $169,658 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending

June 30, 2025 for the purpose of increasing rates paid for section 1915(c) waiver case management services.

VIII. $3,969,301 in the fiscal year ending June 30, 2024 and $7,938,602 in the fiscal year ending June 30, 2025 for the purpose of increasing rates and/or wages paid to providers of community mental health services.

IX. $623,848 in the fiscal year ending June 30, 2024 and $1,247,697 in the fiscal year ending June 30, 2025 for the purpose of increasing housing reimbursement rates for those receiving community mental health services.

X. $3,000,000 in the fiscal year ending June 30, 2024 and $6,000,000 in the fiscal year ending June 30, 2025 for the purpose of rebasing rates for community health centers to ensure that Medicaid rates are sufficient to cover the cost of service provision.

XI. $1,133,707 in the fiscal year ending June 30, 2024 and $2,267,415 in the fiscal year ending June 30, 2025 for the purpose of bringing Medicaid rates for community health centers up to the levels of Medicare reimbursement.

XII. $8,221,367 in the fiscal year ending June 30, 2024 and $16,442,733 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of early supports and services, developmental services, acquired brain disorder services, and children's in-home support services.

XIII. $1,374,940 in the fiscal year ending June 30, 2024 and $2,749,881 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population.

XIV. $113,106 in the fiscal year ending June 30, 2024 and $226,211 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to residential treatment providers serving those experiencing substance use disorders.

XV. $169,858 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of medication assisted treatment for those experiencing substance use disorders.

XVI. $255,371 in the fiscal year ending June 30, 2024 and $510,743 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of outpatient services for those experiencing substance use disorders.

XVII. $50,000 in the fiscal year ending June 30, 2024 and $100,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to midwives providing Medicaid births in nonhospital environments.

XVIII. $125,000 in the fiscal year ending June 30, 2024 and $250,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to birthing centers.

XIX. $1,944,003 in the fiscal year ending June 30, 2024 and $3,888,007 in the fiscal year

ending June 30, 2025 for the purpose of increasing rates paid for providers of ambulance/EMT services. Notwithstanding any other provisions, the rates for the following ambulance codes shall be as follows:

Ambulance Codes	Rate
A0425	13.00
A0427	700
A0428	325
A0429	450

If the department determines that the appropriations contained in this paragraph are insufficient to set rates at the specified levels, it may delay implementation until such time as the rate increases can be provided.

XX. $1,500,000 in the fiscal year ending June 30, 2024 and $3,000,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant services.

XXI. $15,740,786 for the biennium ending June 30, 2025 for the purpose of increasing any of the rates in this section prior to January 1, 2024, if feasible, where the department has given priority to those increases the commissioner has deemed most critical. Any portion of this appropriation not expended by January 1, 2024 may be used for rate increases authorized elsewhere in this section and section 238 of this act.

240 Department of Health and Human Services; Medicaid Rate Increases. The department shall utilize the funds appropriated in sections 238 and 239 of this act to increase rates pursuant to section 1902(a)(30)(A) of the Social Security Act, and to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department shall have the authority to make adjustments to sections 238 and 239 of this act in order to address:

(a) During implementation, that the percentage of RSA 126-AA funds shall be a proportional credit to the amount implemented;

(b) Impacts to established contracts;

(c) Changes that result in reductions to federal match levels;

(d) Cost-based rate methodologies that cannot accommodate a percentage-based increase as defined under the Medicaid state plan;

(e) Prohibitions regarding the use of general funds;

(f) Parity among rates, including non-Medicaid rates;

(g) Rates paid to out-of-state providers; and

(h) Any rate methodology actively under review and development.

II. Amounts available for the purposes of sections 238 and 239 of this act may be increased by the amounts of any funds unable to be implemented in this section as a result of a technical assistance finding by the Centers for Medicare and Medicaid Services that a proposed state plan

amendment or waiver must be modified in order to be approved.

III. Notwithstanding any other provision of law, rate parity among the same or similar services within existing waiver services shall be a priority.

241 Department of Health and Human Services; Adult Medical Day Services. The department of health and human services shall reimburse all adult medical day services at the same payment rate irrespective of whether the service is covered under the Choices for Independence waiver or the Medicaid state plan.

242 Repeals; Department of Business and Economic Affairs. The following are hereby repealed:

I. RSA 12-O:46 through 12-O:50, relative to the New Hampshire college graduate retention incentive partnership (NH GRIP).

II. RSA 12-O:64, relative to the COVID-19 micro enterprise relief fund.

III. RSA 6:12,I(b)(365), relative to the COVID-19 micro enterprise relief fund.

IV. RSA 12-O:19, relative to the package plan program.

243 Department of Business and Economic Affairs; Bureaus. Amend RSA 12-O:2, I to read as follows:

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of but not limited to a division of economic development [~~which shall include but not be limited to a bureau of workforce development~~] and a division of travel and tourism [~~development which shall include but not be limited to a bureau of visitor service~~]. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

244 Workforce Development. Amend RSA 12-O:42 to read as follows:

12-O:42 Workforce Development. The commissioner of business and economic affairs shall work with the [~~workforce development~~] director ***of the office of workforce opportunity*** to plan, develop, and administer workforce investment activities, programs, and grants under the federal ***Workforce Innovation and Opportunity Act of 2014*** [~~Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq.~~], as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the State Workforce Innovation Board established under RSA 12-O:44. The commissioner shall coordinate with the State Workforce Innovation Board to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

245 Workforce Development Director. Amend RSA 12-O:43 to read as follows:

12-O:43 Workforce Development Director. There is established within the [~~bureau~~] ***office*** of

workforce [~~development~~] ***opportunity*** the position of [~~workforce development coordinator~~] ***director***, which shall be an administrator [~~II~~] ***IV*** position, classified at labor grade [~~29~~] ***33***. The [~~workforce development~~] director shall lead the ***office of workforce opportunity*** [~~workforce development bureau~~]. The [~~workforce development~~] director shall perform all duties which the commissioner may assign.

246 State Workforce Innovation Board; Duties Removed. RSA 12-O:44 is repealed and reenacted to read as follows:

12-O:44 State Workforce Innovation Board.

I. There is established a State Workforce Innovation Board within the Office of Workforce Opportunity.

II. Membership of the board shall be as set forth in the Workforce Innovation and Opportunity Act of 2014 as such may be amended, reauthorized, and in effect from time to time. Members of the board shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the board from among the members of the board.

III. The board shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Innovation and Opportunity Act of 2014.

247 Broadband Infrastructure Bonds. Amend RSA 33:3-g, IV to read as follows:

IV. The [~~office of planning and development~~] ***department of business and economic affairs*** shall maintain a list by town of all providers interested in receiving requests for information. The list shall include physical and electronic address information for interested providers and shall be updated as needed, but at least annually. For purposes of issuing requests for information pursuant to paragraph III, a municipality, county, or communications district shall reference the interested provider list maintained by the [~~office of planning and development~~] ***department*** and shall issue requests for information to all interested providers in that municipality, county, or communications district, both electronically and by United States mail.

248 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25, III to read as follows:

III. On or before April 30 of each year, the office of planning and development shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the office of planning and development on or before May 30 of the same year. After due consideration of such evidence, the director of [~~energy and planning~~] ***the office of planning and development*** shall determine the final components and resulting estimates.

249 Reference Deleted. Amend RSA 126-A:4, V(b)(1) to read as follows:

(1) May request and shall receive the assistance of all other state agencies, including

[~~the office of planning and development, and~~] the departments of transportation, administrative services, and business and economic affairs.

250 Assistant Deputy Medical Examiners. Amend RSA 611-B:5 to read as follows:

611-B:5 Assistant Deputy Medical Examiners. The chief medical examiner shall [~~appoint~~] ***employ*** assistant deputy medical examiners to perform the duties of medical examiner under this chapter. Assistant deputy medical examiners shall serve without geographic restriction. An assistant deputy medical examiner shall be a person educated in the science of medicine and shall serve under the direction and supervision of the chief medical examiner. An assistant deputy medical examiner shall possess all the powers granted to medical examiners under this chapter and be sworn in the same manner. Assistant deputy medical examiners shall ***be appointed by the attorney general pursuant to RSA 21-M:3, XIV and shall*** serve at the pleasure of the chief medical examiner.

251 Department of Justice; Assistant Deputy Medical Examiners Established. There is established within the department of justice unclassified positions of assistant deputy medical examiners. The assistant deputy medical examiners shall be qualified to hold the position by reason of education and experience and shall be appointed to serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5. The salary of the assistant deputy medical examiners shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1037.

252 New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners; Deputy Chief Forensic Investigator. Amend RSA 21-M:3 by inserting, after paragraph XIII, the following new paragraphs:

XIV. The attorney general, subject to the approval of the governor and council, may appoint permanent assistant deputy medical examiners within the limits of the appropriation made for the appointment, each of whom shall serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5.

XV. The attorney general, subject to the approval of the governor and council, may appoint a permanent chief forensic investigator and/or a deputy chief forensic investigator, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The chief forensic investigator and deputy chief forensic investigator may be removed only as provided by RSA 4:1.

253 Department of Justice; Planning Analyst/Data Systems; Reclassified and Established; Deputy Chief Forensic Investigator. The planning analyst/data systems position number 9T3175, within the department of justice shall be designated as an unclassified position. There is established within the department of justice an unclassified position of deputy chief forensic investigator. The deputy chief forensic investigator shall be qualified to hold the position by reason of education and

experience and shall be appointed to serve for a term of 5 years. The salary of the deputy chief forensic investigator shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1033. Upon completion of this action and appointments to the unclassified position, classified position number 9T3175 shall be abolished to allow for the transition of the available appropriations to the unclassified position. Funding shall be transferred into the proper unclassified expenditure class in the chief medical examiner general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general's nomination for the unclassified deputy chief forensic investigator position.

254 Chief Medical Examiner; Reference Deleted. Amend RSA 611-B:10 to read as follows:

611-B:10 Administrative and Technical Assistance. The chief medical examiner may employ adequate administrative, clerical, and technical assistants to carry out the purposes of this chapter[~~; all of whom shall be in the classified service of the state~~].

255 Office of the Solicitor General. Amend RSA 21-M:12-a, I to read as follows:

I. There is established [~~in~~] ***within*** the [~~division of legal counsel~~] ***department*** an office of the solicitor general. The office shall be supervised by the solicitor general who shall be a senior assistant attorney general appointed by the attorney general in accordance with the provisions of RSA 21-M:3, and who shall carry out the duties imposed by the section under the supervision of the attorney general and perform such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such support staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the [~~office~~] ***department.***

256 Division of Legal Counsel. Amend RSA 21-M:7, II to read as follows:

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A [~~transportation and construction~~] ***public safety and infrastructure*** bureau.

[~~(c) An office of the solicitor general.~~]

257 Department of Justice; Name Change; Public Safety and Infrastructure Bureau. Amend the section heading of RSA 21-M:12 and RSA 21-M:12, I to read as follows:

21-M:12 [~~Transportation and Construction~~] ***Public Safety and Infrastructure Bureau.***

I. There is established in the division of legal counsel a bureau of [~~transportation and construction~~] ***public safety and infrastructure.*** The bureau shall be supervised by a senior assistant attorney general who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3 and who shall carry out the duties imposed by this section under the supervision of the attorney general and do such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of

RSA 21-M:3 and such additional clerical, stenographic, and other staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the bureau.

258 Department of Justice; Positions Transferred. The attorney general shall transfer national violent death reporting system positions 9T2789 and 9T2644 to the department of health and human services effective July 1, 2023. The department of justice appropriation 02-20-20-20-201510-59390000, national violent death reporting system, shall be repealed effective September 30, 2023.

259 New Section; Charitable Trusts. Amend RSA 7 by inserting after section 28-f the following new section:

7-28-g Handling Charges. If the attorney general collects a fee electronically for any registration, any annual report, any notice, any document, or any other purpose related to the duties of the director of charitable trusts, the attorney general shall collect a handling charge for each fee paid electronically. The amount of the handling charge shall be equal to the amount charged to the attorney general for processing the fee by credit card, electronic check, or other electronic means.

260 Charitable Trusts; Investigations. Amend RSA 7:24 to read as follows:

7:24 Investigation. The attorney general may investigate at any time charitable trusts, charitable solicitations, and charitable sales promotions for the purpose of determining and ascertaining whether they are administered in accordance with law and with the terms and purposes thereof. For the purposes of such investigation the attorney general may require any person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency administering a trust, charitable solicitation, or charitable sales promotion or having an interest therein, or knowledge thereof, to appear [~~at the state house~~] at such time and place as the attorney general may designate then and there under oath to produce for the use of the attorney general any and all books, memoranda, papers of whatever kind, documents of title or other evidence of assets or liabilities which may be in the ownership or possession or control of such person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency and to furnish such other available information relating to said trust, charitable solicitation, or charitable sales promotion as the attorney general may require.

261 Victim Assistance Programs. Amend RSA 21-M:8-i, IV to read as follows:

IV. No more than [~~15~~] ***30*** percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

262 New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation.

I. For each person receiving an annual allowance under the former RSA 100-A:19 as of the effective date of this section, the retirement system shall continue to pay the annual allowance to each such person as had been provided under RSA 100-A:19 prior to its repeal in 2014.

II. There hereby is appropriated the amount of $40,000 to fund the benefit for the remaining

surviving beneficiaries. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such amount shall be transferred from the state's general fund to the New Hampshire retirement system, which shall maintain such funds in a segregated account exclusively for payment of the call firefighter benefits.

III. The New Hampshire retirement system shall be reimbursed from available funds a reasonable annual fee for administration of the benefit until payments under paragraph I have terminated.

IV. Funds shall be nonlapsing until termination of all benefit payments under paragraph I and any remaining funds held by the New Hampshire retirement system in this segregated account at that time, shall be returned to the state's general fund.

263 Business Finance Authority; Unified Contingent Credit Limit Increased. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, and RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, to $95,000,000 plus interest on January 1, 1994, and to $115,000,000 plus interest on May 1, 2015, ***and to $200,000,000 plus interest on June 1, 2023.***

264 Appropriation; Department of Education; Kindergarten Adequate Education Grants. There is hereby appropriated the sum of $315,700 from the education trust fund, in the fiscal year ending June 30, 2023, to the department of education for the purpose of providing kindergarten adequate education grants under RSA 198:48-b, for new full-day kindergarten programs in the 2023-2024 school year. This appropriation shall not lapse until June 30, 2024.

265 Effective Date. Section 264 of this act shall take effect June 30, 2023.

266 Assessing Certification Board; Rulemaking and Implementation. To reduce workforce barriers and provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of RSA 310-C, relative to assessing standards, shall be transferred to the executive director of the office of professional licensure and certification effective September 1, 2023. The executive director shall consult with the assessing certification advisory board when implementing RSA 310-C. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.

267 Assessing Certification Board; Advisory Board Established. RSA 310-C:1 is repealed and reenacted to read as follows:

310-C:1 Assessing Certification Advisory Board.

I. There is established an assessing certification advisory board ("board") within the office of professional licensure and certification, that shall advise the executive director of the office of

professional licensure and certification on the implementation of this chapter.

II. The board shall be composed of the following members:

(a) The commissioner of the department of revenue or designee;

(b) One certified assessor supervisor appointed by the executive director of the office of professional licensure and certification; and

(c) One member who shall be a municipal governing body official who shall not be an assessor, and who is appointed by the executive director of the office of professional licensure and certification.

III. The members shall be appointed for 3-year terms and shall not serve more than 2 full terms.

268 Assessing Certification Board; Rulemaking Authority. Amend the introductory paragraph of RSA 310-C:17, I to read as follows:

I. The ***executive director in consultation with the advisory*** board shall adopt rules pursuant to RSA 541-A, relative to:

269 Assessing Certification Board Repeal. The following are repealed:

I. RSA 310-C:9, relative to the term of certification.

II. RSA 310-C:12, I, relative to the assessing certificate.

III. RSA 310-C:13, relative to disciplinary proceedings.

IV. RSA 310-C:14, relative to hearings and investigations.

V. RSA 310-C:16, relative to summons and oaths.

270 Repeal. RSA 332-J, relative to athlete agents, is repealed.

271 Repeal. RSA 311-B:2, III and IV, relative to the members of the state board of auctioneers, is repealed.

272 Auctioneers; State Board of Auctioneers; Transfer. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for administration of the state board of auctioneers shall be transferred to the office of professional licensure and certification effective September 1, 2023.

273 Auctioneers; Rulemaking Authority. RSA 311-B:3 is repealed and reenacted to read as follows:

311-B:3 Rulemaking Authority.

I. The board, with the approval of the executive director of the office of professional licensure and certification, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The qualifications of applicants for initial, renewal, and reinstatement licensure in addition to those requirements set by statute, and the means to be used by applicants to demonstrate good professional character;

(b) Ethical and professional standards required to be met by each holder of a license under this chapter;

(c) How disciplinary actions by the board shall be implemented for violations of these standards and for misconduct by licensees; and

(d) Establishing eligibility for certificates of authorization issued under RSA 311-B:4, III.

II. The board may adopt rules, pursuant to RSA 541-A, relative to:

(a) Required maintenance of competence including requirements for continuing education;

(b) Board approval of auctioneering educational programs; and

(c) Standards governing auctioneering apprenticeships.

274 Auctioneers; Qualifications; Application. Amend RSA 311-B:5 to read as follows:

311-B:5 Qualifications; Application. The [~~board~~] ***executive director*** shall grant licensure to any applicant who:

I. Shall have attained the age of 18 years by the date the board receives the application;

II. Submits professional references or recommendations that comply with other standards specified by rule, certifying that the applicant is trustworthy and competent to auction real, personal, and mixed property in such a manner as to safeguard the interests of the public. Each such recommendation shall set forth the writer's name, address, and occupation, the extent of the writer's acquaintanceship with the applicant, the writer's familiarity with the applicant's past business experience and dealings, and any additional knowledge of the applicant's background upon which the writer bases the recommendation;

III. Pays the initial licensure fee;

IV. [Repealed.]

V. Has good professional character;

VI. Meets the eligibility standards established by the board through rulemaking;

VII. Pays the examination fee [~~specified by the board through rulemaking~~] if the examination is one developed or administered by the board; and

VIII. Passes an examination [~~administered by the board or an examination~~] administered by another entity and approved by the board through rulemaking.

275 Auctioneers; Repeals. The following are repealed:

I. RSA 311-B:4-a, relative to cease and desist orders for auctioneering without a license.

II. RSA 311-B:6, relative to nonresidents.

III. RSA 311-B:10, relative to renewals and reinstatement.

IV. RSA 311-B:11, relative to disciplinary action.

V. RSA 311-B:11-a, relative to hearings.

276 Auctioneers; Disposition of Revenue. Amend RSA 311-B:14 to read as follows:

311-B:14 Disposition of Revenue. All moneys collected under this chapter shall be paid into the [~~general fund and are appropriated therefrom to the secretary of state for the purpose of carrying out~~

~~the provisions of this chapter~~] ***office of professional licensure and certification fund.***

277 Allied Health Professionals; Governing Boards Established. Amend RSA 328-F:3 as follows:

328-F:3 Governing Boards Established[~~; Board of Directors; Office of Licensed Allied Health Professionals~~].

[~~I.~~] There shall be established governing boards of athletic trainers, occupational therapists, physical therapists, speech-language pathologists and hearing care providers, and genetic counselors. ***In order to eliminate a redundant regulatory framework and promote efficiency and economy, and as set forth in RSA 310, the responsibility for administration of the governing boards shall be with the office of professional licensure and certification, and the authority of the board of directors of allied health professionals is repealed.***

~~[II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.~~

~~III. There shall be an office of licensed allied health professionals established in Concord within the office of professional licensure and certification.~~]

278 Allied Health Professionals; Completion of Survey; Rulemaking. Amend RSA 328-F:11-a as follows:

328-F:11-a Completion of Survey; Rulemaking. The ***governing*** board shall adopt rules, pursuant to RSA 541-A, requiring, as part of the license renewal process, completion by licensees of a survey or opt-out form provided by the office of rural health, department of health and human services, for the purpose of collecting data regarding the New Hampshire primary care workforce, pursuant to the commission established in RSA 126-T. Any rules adopted under this section shall provide the licensee with written notice of his or her opportunity to opt-out from participation in the survey.

279 Allied Health Professionals; Criminal History Record Checks. Amend RSA 328-F:18-a as follows:

328-F:18-a Criminal History Record Checks.

I. The [~~board of directors~~] ***governing boards*** shall require [~~one of the following types of criminal background checks~~] from applicants for initial licensure or certification, reinstatement of licensure or certification, or conditional licensure or certification[~~:~~

~~(a) An original criminal offender record report issued by each state where the applicant has resided or been licensed within the past 6 years; or~~

~~(b) A~~] ***a*** criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of [~~licensed allied health professionals~~] ***professional licensure and certification***.

[~~(1)~~] ***(a)*** The applicant shall submit with the release form a complete set of

fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** may, in lieu of the criminal history records check, accept police clearances [~~described in subparagraph (a)~~].

[~~(2)~~] ***(b)*** The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

II. The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall review the criminal record information prior to the respective governing board making a decision on licensure or certification and shall maintain the confidentiality of all criminal history records received pursuant to this section.

III. The applicant shall bear the cost of all criminal history record checks.

IV. The [~~board~~] ***office of professional licensure and certification*** shall consider military security clearance for an individual actively serving in any component of the Department of Defense in lieu of criminal background checks.

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** receives the results of a criminal history record check required for licensure, if the conditional employee:

(a) Is under the direct supervision of a licensee;

(b) Has provided a written attestation to the employer and the [~~board~~] ***office of professional licensure and certification*** that no disqualifying criminal history exists; and

(c) The [~~allied health~~] governing board is not a member of an interstate licensure compact.

280 Recreational Therapists; Eligibility for Licensure. Amend RSA 326-J:5, II to read as follows:

II. The executive director may, upon notice and opportunity for a hearing, deny an application for reinstatement of a license or reinstate the license with conditions. Conditions imposed may include a requirement for continuing education, practice under the supervision of a licensed recreational therapist[~~, or any other conditions set forth in RSA 328-F:18, III~~].

281 Repeals; Allied Health. The following are repealed:

I. RSA 328-F:1, relative to allied health professionals purpose.

II. RSA 328-F:2, relative to allied health professionals definitions.

III. RSA 328-F:5, I-V, relative to allied health professionals governing board authority.

IV. RSA 328-F:7, relative to allied health professionals removal of members and vacancies.

V. RSA 328-F:8, relative to allied health professionals organization and meetings.

VI. RSA 328-F:9, relative to allied health professionals records of the boards.

VII. RSA 328-F:10, relative to allied health professionals records of disciplinary history.

VIII. RSA 328-F:11-b, relative to allied health professionals telemedicine.

IX. RSA 328-F:12, relative to allied health professionals the board of directors.

X. RSA 328-F:13, relative to allied health professionals board of directors' rulemaking authority.

XI. RSA 328-F:15, relative to allied health professionals fees.

XII. RSA 328-F:18, relative to allied health professionals issuance of licenses.

XIII. RSA 328-F:19, relative to allied health professionals renewal.

XIV. RSA 328-F:20, relative to allied health professionals reinstatement of lapsed licenses.

XV. RSA 328-F:21, II, relative to allied health professionals notification of stolen licenses.

XVI. RSA 328-F:23, relative to allied health professionals disciplinary action and hearings.

XVII. RSA 328-F:24, relative to allied health professionals investigations.

XVIII. RSA 328-F:25, relative to allied health professionals obligation to report.

XIX. RSA 328-F:26, relative to allied health professionals temporary suspension.

XX. RSA 328-F:27, relative to allied health professionals unauthorized practice.

XXI. RSA 328-F:29, relative to allied health professionals revocation of licensure.

282 Boxing and Wrestling Commission; Transfer. To promote efficiency and economy, reduce administrative costs, and facilitate customer service, the responsibility for administration of the boxing and wrestling commission shall be transferred to the office of professional licensure and certification effective September 1, 2023.

283 Boxing and Wrestling Commission; Members; Removal; Conflicts of Interest. Amend RSA 285:3, I as follows:

I. The commission shall consist of [3] ***5*** members appointed by the governor and council. Members appointed by the governor and council shall have had some experience in the fighting sports and shall be residents of the state. Members shall have no financial interest, direct or indirect, in professional fighting sports regulated by the commission.

284 Boxing and Wrestling Commission; Establishment of Commission. Amend RSA 285:7 as follows:

285:7 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The conduct of amateur and professional fighting sports competitions;

II. Requirements and qualifications for licenses, permits and amateur cards for persons

involved in fighting sports competitions;

III. The grounds for revocation or suspension of a license or permit, and the reinstatement of suspended licenses and permits;

~~[IV. A fee schedule for permits and amateur cards and for the renewal of amateur cards;~~

~~V~~] *IV.* Promoters' bonds; and

[~~VI~~] *V.* Insurance coverage required by the commission.

285 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Cooperation With Amateur Local Boxing Committee Required. Amend RSA 285:9-a, VI as follows:

VI. The [~~commission~~] ***office of professional licensure and certification*** shall collect 5 percent of the gross receipts of paid admissions to all amateur bouts, as mandated by RSA 285:14.

286 Boxing and Wrestling Commission; Licenses Required. Amend RSA 285:11 as follows:

285:11 Licenses Required. No person shall participate in a professional fighting sports competition as a contestant, manager, referee, judge, second or timekeeper without a license from the commission. [~~The fee for all licenses issued by the commission shall be $20. Licenses granted by the commission shall be valid for one year from the date of issue unless revoked or suspended by the commission. The commission shall, upon application, renew any license unless good cause is shown that the license should not be renewed. The fee for all license renewals issued by the commission shall be $20.~~]

287 Boxing and Wrestling Commission; Suspension or Revocation; Appeals. Amend RSA 285:12 as follows:

285:12 Suspension or Revocation; Appeals.

[~~I.~~] The commission may revoke or suspend any permit or license for cause.

~~[II. Rehearings and appeals from any decision of the commission shall be in accordance with RSA 541.~~]

288 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Permit and License Fees; Amateur Cards. Amend RSA 285:14, II as follows:

II. The promoter also shall, at the same time, pay to the [~~commission~~] ***office of professional licensure and certification*** by certified check a tax of 5 percent of the gross receipts of paid admissions after deduction of any federal taxes. ***Payments made pursuant to this section shall be deposited into a dedicated fund, which shall lapse annually at the close of each fiscal year to the general fund.***

289 Boxing and Wrestling Commission; Deputy Inspectors. Amend RSA 285:19 as follows:

285:19 Deputy Inspectors. A member of the commission is not required to be present at all fighting sports competitions. If a member of the commission is not present at a fighting sports competition held under this chapter, the commission shall appoint a deputy inspector who shall, for the duration of the contest, have the full duties and powers of a member of the commission. Deputy inspectors shall be entitled to compensation as the commission, ***with the approval of the***

executive director, may deem proper.

290 Repeals; Boxing and Wrestling Commission. The following are repealed:

I. RSA 285:5, relative to boxing and wrestling commission chairperson, treasurer, and quorum.

II. RSA 285:6, relative to boxing and wrestling commission compensation.

III. RSA 285:8, relative to boxing and wrestling commission report.

291 Electricians; Definitions. Amend RSA 319-C:2, IV as follows:

IV. "Journeyman electrician" means a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be employed by a master electrician[~~, except as provided in RSA 319-C:10~~]. Each journeyman electrician shall work under the direction and supervision of a master electrician.

292 Electricians; Inspectors. Amend RSA 319-C:5, I as follows:

I. The [~~board~~] ***office of professional licensure and certification*** shall be empowered to appoint such inspectors as may be necessary to carry out the purposes of this chapter. Any person so employed shall be under the administration and supervisory direction of the [~~board~~] ***office of professional licensure and certification.***

293 Electricians; Licensing Requirements. Amend RSA 319-C:7, II, as follows:

II. [~~After June 30, 1976,~~] The board shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board ***or experience in the field received in military service, in accordance with rules adopted by RSA 541-A***; and

(b) Satisfactory passing of an examination [~~conducted~~] ***approved*** by said board as provided in RSA 319-C:8 to determine [~~his~~] ***the person's*** fitness to receive such license.

294 Repeals. The following are repealed:

I. RSA 319-C:6-a, VI, relative to electricians rulemaking for investigations.

II. RSA 319-C:6-a, VII, relative to electricians procedural rules for hearings.

III. RSA 319-C:6-b, relative to electricians fees.

IV. RSA 319-C:9, relative to electricians renewal of licenses.

V. RSA 319-C:12, relative to electricians disciplinary action.

VI. RSA 319-C:12-a, relative to electricians hearings.

VII. RSA 319-C:12-b, relative to electricians appeals.

VIII. RSA 319-C:14, relative to electrician nonresidents.

295 Genetic Counselors; Provisional License. Amend RSA 326-K:4 to read as follows:

326-K:4 Provisional License.

I. A provisional license may be issued by the [~~board~~] ***office*** to an applicant who meets all of

the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

(a) Issuance of a full license;

(b) Thirty days after the applicant fails to pass the certification examination; or

(c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the [~~board~~] ***office*** for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The [~~board~~] ***office*** is authorized to issue conditional provisional licenses in accordance with ***governing board*** rules adopted pursuant to RSA 541-A.

296 Genetic Counselors; Prohibition on Unlicensed Practice. Amend RSA 326-K:5, I to read as follows:

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the [~~board~~] ***office*** to practice as a licensed genetic counselor.

297 Genetic Counselors; Privileged Communications. Amend RSA 326-K:8, II to read as follows:

II. Information and results may be made available to the board ***or the office*** for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

298 Repeal; Genetic Counselors. RSA 326-K:6, relative to reciprocity is repealed.

299 Hawkers and Peddlers; Repeal. RSA 320, relative to hawkers and peddlers, is repealed.

300 Itinerant Vendors; Repeal. RSA 321, relative to itinerant vendors, is repealed.

301 Board of Manufactured Housing; Repeals. The following are repealed:

I. RSA 205-A:25, relative to board establishment.

II. RSA 205-A:26, relative to quorum.

III. RSA 205-A:27, relative to jurisdiction.

IV. RSA 205-A:28, relative to decisions.

V. RSA 205-A:29, relative to meetings and records.

VI. RSA 205-A:29-a, relative to administrative and business processing functions.

VII. RSA 205-A:30, relative to notification and cooperation.

VIII. RSA 205-A:31, relative to rulemaking.

302 State Board of Fire Control; Mechanical Licensing Board. Amend RSA 153:27-a to read as follows:

153:27-a Mechanical Licensing Board. There is hereby established as a unit within the office of professional licensure and certification. The term of office for the members appointed to the board shall be 3 years and until a successor is appointed. The initial appointed members of the board shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. No member of the board shall be appointed to more than 2 consecutive terms. [~~A member of the board shall serve as the board secretary.~~]

I.(a) No member of the board may be associated with the formal education for licensing, and/or be provider or an employee of a provider for continuing education for any profession or trade licensed under this subdivision.

(b) A public member of the board shall be a person who is not, and never was, a member of the fuel gas fitting or plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing and/or fuel gas services or an activity directly related to plumbing and/or fuel gas, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

II. The board shall:

(a) Adopt rules as provided for in this subdivision.

(b) [~~Implement the licensing program under this subdivision.~~

~~(c)~~] Review and approve educational programs and providers.

[~~(d)~~] ***(c)*** Conduct hearings for disciplinary actions.

[~~(e)~~] ***(d)*** Review and recommend adoptions, exceptions, or omissions to technical standards as adopted under RSA 153:28.

[~~(f)~~] ***(e)*** Develop and recommend for the legislature future changes to this subdivision.

III. The members of the board shall be appointed by the governor and council as follows:

(a) Two licensed journeymen or master plumbers, who are actively working in the trade as plumbers.

(b) [~~Two~~] ***One*** licensed fuel gas [~~fitters~~] ***fitter***, [~~both of whom are~~] actively working in the trade as fuel gas fitters[~~, and one of whom shall represent the propane fuel industry~~].

(c) One certified heating equipment installer or heating equipment service person under RSA 153:16-b.

(d) [~~One licensed master plumber who is also a licensed fuel gas fitter and a certified heating equipment installer or servicer, actively working in the trade.~~

~~(e)~~] One public member who is not, and never was, a member of the plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing services or an activity directly related to plumbing, including the representation of the board or trade for a fee at any time during the 5 years preceding

appointment.

[~~(f) One certified water treatment technician, who shall be a nonvoting member of the board.~~]

IV. [~~The board shall hold at least 8 regular meetings each year, and may hold special meetings at such times as the business of the board may require. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide and in accordance with New Hampshire state law. A quorum of the board shall consist of 4 members.~~

~~V.~~] The board shall annually elect a chairman [~~and a vice chairman~~] from among its members.

[~~VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.~~]

303 State Board of Fire Control; Mechanical Licensing Board; Repeals. The following are repealed:

I. RSA 153:28, II, relative to rulemaking regarding fees.

II. RSA 153:30, relative to expiration and renewal of licensure.

III. RSA 153:32, relative to disciplinary action.

IV. RSA 153:33, relative to appeals from board decisions.

V. RSA 153:37, relative to penalties.

VI. RSA 153:38, relative to voluntary certification of water treatment technicians.

304 Pharmacy; Board. Amend RSA 318:2 to read as follows:

318:2 Board. There shall be a pharmacy board consisting of [~~7~~] ***5*** members; including [~~6~~] ***4*** practicing pharmacists, at least one of whom shall be a full-time hospital pharmacist, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member shall be appointed to more than 2 consecutive terms and no member shall serve for more than 10 consecutive years. Only board members provided for in this section shall have the authority to vote in board determinations.

305 Pharmacy; Rulemaking Authority. Amend RSA 318:5-a, IX to read as follows:

IX. [~~Procedures~~] ***Standards*** for the inspection of licensees;

306 Repeal; Pharmacy Rulemaking. The following are repealed:

I. RSA 318:5-a, VIII, relative to procedures for the conduct of hearings consistent with the requirements of due process.

II. RSA 318:5-a, X(e), relative to the establishment of the effective period of registration or certification for pharmacy technicians.

III. RSA 318:5-a, XI-a(e), relative to the establishment of the effective period of registration or certification for pharmacy interns.

IV. RSA 318:5-a, XI-c(e), relative to the establishment of the effective period of registration or certification for advanced pharmacy technicians.

307 Pharmacy Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a Inspectional Services. The [~~pharmacy board through the~~] office of professional licensure and certification shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

308 Pharmacy; Pharmacy Interns. Amend RSA 318:15-b to read as follows:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the [~~board~~] ***office of professional licensure and certification*** to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

309 Pharmacy Examinations and Licenses; Pharmacists. Amend RSA 318:18, I(b)(3) to read as follows:

(3) File proof satisfactory to the [~~board~~] ***office of professional licensure and certification***, substantiated by proper affidavits, of a minimum of one year (1,500 hours) internship activity in a community or institutional pharmacy in the United States or Canada or an equivalent program which has been approved by the board of pharmacy; and shall pass the national examination administered by the National Association of Boards of Pharmacy (NABP) to establish his or her fitness to practice the profession of pharmacy. The internship required in this section shall be service and experience in a community or institutional pharmacy under the supervision of a licensed pharmacist and shall be predominantly related to the selling of drugs and medical supplies; interpreting, compounding, preparing and dispensing of prescriptions; preparing of pharmaceutical products; keeping records and making reports required under federal and state statutes; and otherwise practicing pharmacy under the immediate supervision and direction of a licensed pharmacist.

310 Pharmacists; Examinations and Licenses; Pharmacists. Amend RSA 318:18, II to read as follows:

II. The [~~board~~] ***office of professional licensure and certification*** may deny licensure as a pharmacist for grounds which include, but which shall not be limited to, prior conviction of a felony; or of a misdemeanor resulting from a violation of a federal, state or local drug or pharmacy-related law, rule, or regulation.

311 Pharmacy; Change in Name, Employment, or Residence. Amend RSA 318:26-a to read as follows:

318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced pharmacy technician, or pharmacy technician who changes his or her name, place or status of

employment, or residence shall notify the [~~board~~] ***office of professional licensure and certification*** in writing within 15 days. For failure to report such a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy technician's license, or the pharmacy technician's registration. Reinstatement shall be made only upon payment of a reasonable fee as established by the board.

312 Pharmacy; Impaired Pharmacist Program. Amend RSA 318:29-a to read as follows:

318:29-a Impaired Pharmacist Program.

I. Any pharmaceutical peer review committee may report relevant facts to the board ***or office of professional licensure and certification*** relating to the acts of any pharmacist in this state if they have knowledge relating to the pharmacist which, in the opinion of the peer review committee, might provide grounds for disciplinary action as specified in RSA 318:29, II.

II. Any committee of a professional society comprised primarily of pharmacists, its staff, or any district or local intervenor participating in a program established to aid pharmacists impaired by substance abuse or mental or physical illness may report in writing to the board ***or office of professional licensure and certification*** the name of the impaired pharmacist together with the pertinent information relating to his impairment. The board ***or office of professional licensure and certification*** may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any pharmacist who may be impaired by substance abuse or mental or physical illness.

III. [~~Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the pharmacist's individual record in the board's office. A pharmacist or his authorized representative shall be entitled on request to examine the pharmacist's peer review or the pharmaceutical organization committee report submitted to the board and to place into the record a statement of reasonable length of the pharmacist's view with respect to any information existing in the report.~~

~~IV.~~] Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with an impaired pharmacist peer review committee, shall be confidential and are not to be considered open records unless the affected pharmacist so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the pharmacist licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

[~~V.~~] ***IV.***(a) No employee or member of the board, peer review committee member, pharmaceutical organization committee member, pharmaceutical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired pharmacist shall by reason of furnishing such information be liable for damages to any

person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless he is found to have acted recklessly or wantonly.

[~~VI.(a)~~] ***V.*** The [~~board~~] ***office of professional licensure and certification*** may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited to, education, intervention and post-treatment monitoring.

[~~(b) The board may allocate an amount determined by the board from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).~~]

313 Pharmacy; Required; Compliance. Amend RSA 318:37 to read as follows:

318:37 Required; Compliance.

I. No person shall conduct or operate a pharmacy for the sale at retail of drugs and medicines unless such pharmacy is registered with and a permit therefor has been issued by the ***office of professional licensure and certification in accordance with rules adopted by the*** pharmacy board, except as provided in this chapter.

II.(a) No person shall conduct or operate a mail-order pharmacy located outside of this state by shipping, mailing, or delivering prescription drugs into this state unless such pharmacy is registered in New Hampshire and a permit has been issued by the New Hampshire pharmacy board.

(b) To obtain a permit, a mail-order pharmacy shall comply with each of the following:

(1) Maintain a license in good standing from the state in which the mail-order pharmacy is located;

(2) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** an application for registration [~~as provided by the office of professional licensure and certification~~];

(3) Pay all appropriate registration fees;

(4) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state pharmacy license from the state in which the mail-order pharmacy is located;

(5) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state and federal controlled substance registrations from the state in which it is located, if controlled substances are to be shipped into this state.

(c) When requested to do so by the New Hampshire pharmacy board, each mail-order pharmacy shall supply the New Hampshire pharmacy board with any inspection reports, warning notices, disciplinary actions, notice of deficiency reports, or any other related reports from the state in which it is located concerning the operation of a mail-order pharmacy for review of compliance

with state and federal drug laws.

(d) Except in emergencies that constitute an immediate threat to the public health and require expedited action by the board, the New Hampshire pharmacy board shall file a complaint with the licensing board of the state in which the mail-order pharmacy is located when known or suspected violations of the laws of the state in which the pharmacy is located are uncovered. If the licensing board in the state in which the mail-order pharmacy is located initiates disciplinary action, the New Hampshire pharmacy board may request the appropriate documents involved in the action for consideration of discipline against the pharmacy registration of the mail-order pharmacy. If no action is taken against the mail-order pharmacy by the licensing board of the state in which it is located, the New Hampshire pharmacy board may request copies of any investigation reports available from that state.

(e) The New Hampshire pharmacy board shall extend reciprocal cooperation to any state that licenses and regulates mail-order pharmacies for the purpose of investigating complaints against pharmacies located in New Hampshire or the sharing of information and investigative reports, as long as the other state shall extend the same reciprocal cooperation to the New Hampshire pharmacy board.

314 Pharmacy; Licensing of Limited Retail Drug Distributors Required. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-a, without first having obtained a license to do so from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight June 15 of every odd-numbered year.~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

315 Pharmacy; Licensing of Outsourcing Facilities Identified as Section 503B Facilities by the United States Food and Drug Administration. Amend RSA 318:51-c, I-II to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a fee established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the pharmacy board~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient land, buildings, and security equipment as to properly carry on the business described in the application.

316 Pharmacy; Licensure of Research Organizations. Amend RSA 318:51-f, I-II to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by June 15 of every odd numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the board of pharmacy~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient space and security equipment as to properly carry on the research operations described in the application.

317 Pharmacy; Licensure of Drug or Device Distribution Agents. Amend RSA 318:51-g, I to read as follows:

I. No person shall act as a prescription drug or device distribution agent, which includes controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy*** board.

318 Repeal; Pharmacists. The following are repealed:

I. RSA 318:5, relative to officers and duties.

II. RSA 318:6-a, relative to fees.

III. RSA 318:16-e, relative to telemedicine.

IV. RSA 318:21, relative to applicants from out of state.

V. RSA 318:23, relative to application fee.

VI. RSA 318:25, relative to renewal of license.

VII. RSA 318:26, relative to neglect to renew.

VIII. RSA 318:29, relative to disciplinary action.

IX. RSA 318:29-b, relative to denial of a license.

X. RSA 318:29-c, relative to immunity.

XI. RSA 318:30, relative to investigatory powers of the board.

XII. RSA 318:30-a, relative to temporary suspension.

XIII. RSA 318:31, relative to hearings.

XIV. RSA 318:33, relative to attendance.

XV. RSA 318:35, relative to association.

XVI. RSA 318:36, relative to information.

XVII. RSA 318:38, relative to permits and fees.

XVIII. RSA 318:55, relative to fines.

XIX. RSA 318:56, relative to unused prescription program.

XX. RSA 318:57, relative to definitions.

XXI. RSA 318:58, relative to donating unused drugs.

XXII. RSA 318:59, relative to rulemaking.

XXIII. RSA 318:60, relative to limited immunity.

319 Physical Therapy; Powers and Duties. RSA 328-A:3 is repealed and reenacted to read as follows:

328-A:3 Powers and Duties of the Board. The board shall:

I. Provide for the examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.

II. Regulate the practice of physical therapy by interpreting and enforcing this chapter.

III. Elect officers from its members necessary for the operations and obligations of the board. Terms of office shall be one year.

320 Physical Therapy; Rulemaking. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, [~~fees,~~] and renewal of, and disciplinary proceedings for certified animal physical therapists under RSA 328-A:15-b.

321 Physical Therapy; Examination. Amend RSA 328-A:7, I to read as follows:

I. The [~~board~~] ***office*** shall conduct***, through a third party,*** examinations within the state at least quarterly [~~at a time and place prescribed by the board~~]. The passing score shall be determined by the board.

322 Repeals; Physical Therapy. The following are repealed:

I. RSA 328-A:15, II, relative to physical therapy, rights of consumers to privacy.

II. RSA 328-A:12, relative to unlawful practice of physical therapy.

III. RSA 328-A:13, relative to reporting violations.

323 State Licensed or Certified Real Estate Appraisers; Real Estate Appraiser Board. Amend RSA 310-B:4 as follows:

310-B:4 Real Estate Appraiser Board.

I. There is established [~~an independent~~] ***a*** real estate appraiser board [~~which shall be administratively attached to the office of state~~] ***within the office of professional licensure and certification.*** The board shall be composed of the following [~~7~~] ***5*** members, appointed by the governor with the consent of council:

(a) Three real estate appraisers with a minimum of 5 years' experience, consisting of one New Hampshire certified residential appraiser, one New Hampshire certified general appraiser, and

one New Hampshire certified appraiser who is a broker licensed under RSA 331-A; provided that no 2 appraiser members shall be members of the same private appraisal organization.

(b) One representative from a New Hampshire lending institution.

(c) [~~The banking executive director or designee.~~

~~(d) Two members~~] ***One member*** of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

II. All appointments shall be made within 90 days after the effective date of this chapter.

III. On or before July 1, 1991, each real estate appraiser member of the board shall be certified or licensed are a real estate appraiser under this chapter. One such member shall hold the residential license and one such member shall hold a general appraiser certificate.

IV. The term of each member shall be 3 years, except that, of the members first appointed, 3 shall serve for 3 years, 2 shall serve for 2 years, and 2 shall serve for one year.

V. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person[~~, except the executive director or designee,~~] shall serve as a member of the board for more than 2 consecutive terms. The appointing authority may remove a member for cause.

[~~VI. The board shall meet at least once each calendar quarter to conduct its business and more often on call of the chair, or when the chair is requested to do so by 4 or more members of the board. The action of the majority of the members of the board present and voting shall be deemed the action of the board, and at least 4 members shall be present and voting on every vote of the board. Places of future meetings shall be decided by the vote of members at meetings or, in the event of a special meeting, by the chair. Written notice shall be given by the chair to each member of the time and place of each meeting of the board at least 10 days in advance.~~]

VII. The chairman of the board shall be elected from the board's members. [~~Neither the banking executive director nor his designee shall serve as chairman~~.

~~VIII. No board member shall be entitled to a per diem allowance. Board members shall be reimbursed for actual travel in the performance of official duties at the usual state employee rate.~~

~~IX. The members of the board shall be immune from any civil action or criminal prosecution for actions taken in their capacity as members of the board, provided that such action is taken in good faith and in the reasonable belief that the action was taken pursuant to the powers and duties of the board under this chapter.~~

~~X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.~~]

324 State Licensed or Certified Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5 as follows:

310-B:5 Licensure or Certification Process.

I. Applications for original license or certification, renewal license or certification and examinations shall be made in writing [~~to the board on forms approved by the board~~].

II. Appropriate fees, [~~as fixed by the board under rules established pursuant to RSA 541-A~~], shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the [~~board~~] ***office*** for transmittal to the federal government under Title XI.

III. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in this chapter and state that he understands the types of misconduct for which disciplinary proceedings may be initiated against a certified or licensed real estate appraiser, as set forth in this chapter.

325 State Licensed or Certified Real Estate Appraisers; Prohibited Conduct. Amend RSA 310-B:5-a as follows:

310-B:5-a Prohibited Conduct. A person licensed or certified [~~by the board~~] under this chapter, shall, after a hearing, be subject to disciplinary action as provided in RSA 310-B:18 for being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar offense or offenses; provided that, for the purposes of this section being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the sentence has been deferred or suspended.

326 State Licensed or Certified Real Estate Appraisers; Criminal History Records Checks. Amend RSA 310-B:6-a as follows:

310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the [~~board~~] ***office*** a criminal history record release form, as provided by the New Hampshire division of state police, office of safety, which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office***.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the office of safety. The [~~board~~] ***office*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [~~board~~] ***office*** may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [~~board~~] ***office***. The [~~board~~] ***office*** shall maintain the

confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

327 State Licensed or Certified Real Estate Appraisers; Examination Prerequisites. Amend RSA 310-B:8 as follows:

310-B:8 Examination Prerequisites.

I. As prerequisites to taking the examination for certification as a certified general real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A.***

II. As prerequisites to taking the examination for certification as a certified residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A.***

III. As prerequisites to taking the examination for licensure as a licensed residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A.***

328 State Licensed or Certified Real Estate Appraisers; Experience Requirements. Amend RSA 310-B:9, II as follows:

II. Each applicant for license or certification shall furnish a signed, detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the board ***or office*** for examination a sample of appraisal reports which the applicant has prepared in the course of his or her appraisal practice.

329 State Licensed or Certified Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA 310-B:12-b, I as follows:

I. It is unlawful for a person to directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration issued by the [~~board~~] ***office*** under the provisions of this chapter.

(a) An applicant for registration as an appraisal management company in this state

shall submit to the [~~board~~] ***office*** an application using the method prescribed and furnished by the office of professional licensure and certification.

(b) In the event a registration process is unavailable upon the effective date of this chapter, an appraisal management company already conducting business in this state may continue to conduct business in accordance with this chapter until the 120th day after a registration process becomes available.

330 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, I to read as follows:

I. An appraisal management company that applies to the [~~board~~] ***office*** for a registration to do business in this state as an appraisal management company shall not:

331 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, III to read as follows:

III. Each appraisal management company seeking to be registered in this state shall certify to the [~~board~~] ***office*** on an annual basis on a form prescribed by the [~~board~~] ***office*** that the appraisal management company has systems in place to verify that:

332 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Appraisal Review. Amend RSA 310-B:12-i as follows:

310-B:12-i Appraisal Management Company; Appraisal Review. Any employee of, or independent contractor to, an appraisal management company that performs a USPAP Standard 3 review of an appraisal report on property located in this state shall be an appraiser with the proper level of licensure issued by the [~~board~~] ***office***. Quality control examinations are exempt from this requirement as they are not considered a Standard 3 review.

333 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Registration Number. Amend RSA 310-B:12-m as follows:

310-B:12-m Appraisal Management Company; Registration Number.

I. The [~~board~~] ***office*** shall issue a unique registration number to each appraisal management company registered in this state pursuant to this chapter.

II. The [~~board~~] ***office*** shall maintain a list of the appraisal management companies registered in this state and the registration numbers assigned to such persons.

III. An appraisal management company registered in this state shall disclose the registration number provided to it by the [~~board~~] ***office*** on the engagement documents presented to an appraiser.

334 State Licensed or Certified Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16, I as follows:

I. A license or certificate issued under authority of this chapter shall bear a license or certificate number assigned by the [~~board~~] ***office***.

335 State Licensed or Certified Real Estate Appraisers; Repeals. The following provisions of

RSA chapter 310-B are hereby repealed:

I. RSA 310-B:3-a, relative to penalty.

II. RSA 310-B:10, relative to term of licensure.

III. RSA 310-B:12, relative to nonresident licensure.

IV. RSA 310-B:12-a, relative to temporary practice.

V. RSA 310-B:12-e, relative to appraisal management company fee.

VI. RSA 310-B:13, relative to renewal.

VII. RSA 310-B:13-a, relative to lapse.

VIII. RSA 310-B:14, I relative to continuing education.

IX. RSA 310-B:18, relative to disciplinary proceedings.

X. RSA 310-B:18-b, relative to reissuance of license.

XI. RSA 310-B:19, relative to hearings.

XII. RSA 310-B:20, relative to fees.

XIII. RSA 310-B:21, relative to receipts.

XIV. RSA 310-B:23-a, relative to summons.

XV. RSA 310-B:24, VII, relative to rulemaking authority.

XVI. RSA 310-B:24, IX, relative to the requirements for public information requests.

336 New Hampshire Real Estate Practice Act; Repeals. The following provisions of RSA chapter 331-A are hereby repealed:

I. RSA 331-A:7, II relative to fees.

II. RSA 331-A:7, IV, relative to fees.

III. RSA 331-A:7, V, relative to orders.

IV. RSA 331-A:12-a, relative to inactive license status.

V. RSA 331-A:15, relative to issuance of licenses.

VI. RSA 331-A:17, relative to license amendments.

VII. RSA 331-A:18, relative to lapse of license.

VIII. RSA 331-A:19, relative to renewal of license.

IX. RSA 331-A:24, relative to fees.

X. RSA 331-A:25, IV, relative to rulemaking regarding fees.

XI. RSA 331-A:25, VII, relative to license certificates.

XII. RSA 331-A:25, X, relative to procedures.

XIII. RSA 331-A:25, XI, relative to conduct of hearings.

XIV. RSA 331-A:25, XIII, relative to procedures for renewal licenses.

XV. RSA 331-A:28, relative to disciplinary actions.

XVI. RSA 331-A:29, relative to disciplinary procedures.

XVII. RSA 331-A:30, relative to hearing procedures.

XVIII. RSA 331-A:31, relative to payment by the state.

XIX. RSA 331-A:33, relative to immunity.

XX. RSA 331-A:34, relative to unlawful practice.

XXI. RSA 331-A:35, relative to prosecution.

337 Professional Bondsmen; Approval and Registration. Amend RSA 598-A:1, as follows:

598-A:1 Approval and Registration. ***To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for registration of professional bondsmen shall be transferred to the office of professional licensure and certification effective July 1, 2023.*** No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification***; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on 5 separate occasions in said year shall be accepted thereafter during that year as bail or surety unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman as provided in this section.

338 Professional Bondsmen; Fees. Amend RSA 598-A:1-a to read as follows:

598-A:1-a Fees.

[~~I.~~] A person proposing to become bail or surety and registered as a professional bondsman shall pay to the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** an initial application fee. [~~of $400;~~] The fee shall be deposited in the [~~general fund by the state treasurer as unrestricted revenue~~] ***office of professional licensure and certification fund.***

[~~II. Thereafter, an annual renewal fee of $100 for the registration in each county of the state where a professional bondsman seeks to post bail shall be due and payable to the secretary of state or his designee on December 30 for the ensuing year. The fee shall be deposited in the general fund by the state treasurer as unrestricted revenue.~~]

339 Professional Bondsmen; Revocation. Amend RSA 598-A:2 as follows:

598-A:2 Revocation. A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Approval and registration under this chapter may be revoked at any time by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** and shall be revoked in case such a bondsman fails for 30 days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full within 30 days after demand shall immediately notify the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** or [~~his~~] designee in writing.

340 Professional Bondsmen; List of Professional Bondsmen. Amend RSA 598-A:3, as follows:

598-A:3 List of Professional Bondsmen. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall furnish all superior court clerks, all district courts having authority to accept bail, all jails, and all police stations with a list of the names of all persons registered as professional bondsmen and shall notify such clerks, courts, jails, and police stations of any change in a bondsman's status. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall update the list as necessary, but not less than once per year. The list shall include the following statement in bold type: "You are encouraged to contact more than one bail bondsman because not all bail bondsmen charge the same fees or provide the same services." The unaltered list shall be displayed prominently and visibly to defendants in all courts, jails, and police stations. No other list shall be displayed, furnished, or provided.

341 Professional Bondsmen; Rules. Amend RSA 598-A:4 as follows:

598-A:4 Rules of the [~~Secretary of State or His Designee~~] ***Executive Director.*** All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification.***

342 Refund of Fees; Repealed License Requirements. Any holder of an active license for a profession whose license requirement is repealed by this act shall be refunded their license fee for their current active license.

343 Effective Date. Sections 266-341 of this act shall take effect September 1, 2023.

344 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of $500 shall be paid during state fiscal year 2024 to retired members of the retirement system receiving an allowance, or any beneficiary of such a member who is receiving a survivorship pension benefit, who are eligible as follows:

(a) The member retired with at least 20 years of creditable service;

(b) The member retired and has been receiving an allowance for at least 5 years prior to or on July 1, 2023.

(c) The annual retirement allowance of the member on June 30, 2023 is not greater than $40,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The total cost of the additional allowances, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund in the fiscal year ending June 30, 2023. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

345 Effective Date. Section 344 of this act shall take effect June 30, 2023.

346 Budget Trailer Bill; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9:2-a to read as follows:

9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time ***and shall be publicly posted on the department of administrative services' website on the date of the transmittal.***

347 Department of Administrative Services; General Fund Appropriation Lapse; Report. For the biennium ending June 30, 2025, the department of administrative services shall provide a report to the fiscal committee of the general court on the current estimated general fund appropriation lapse for each fiscal year. Said reports shall be due on the 15th day of December, February, April, and June of each fiscal year.

348 Administrative Services; Public Works Design and Construction; Definition of Project. Amend RSA 21-I:78, IX to read as follows:

IX. "Project" means any construction, reconstruction, alteration, or maintenance in any building, plant, fixture, or facility.

(a) The term shall include those projects relating to buildings, plants, fixture, or facilities formerly administered through the department of transportation, division of public works.

(b) The term shall include projects relating to state trails, roads, bridges, and related maintenance and use of facilities under fish and game provisions in title XVIII, public recreation provisions in title XIX, and forestry provisions in title XIX-A. The commissioner may waive requirements for approval by governor and council for short term rentals of equipment contracted for or acquired for the purposes of projects under this subparagraph, provided such projects are reported quarterly to the fiscal committee of the general court.

(c) The term shall not include construction, reconstruction, alteration, or maintenance of highways, bridges, or other items directly related to transportation, which matters shall be managed by the department of transportation.

349 Revenue Information Management System Account. Amend RSA 21-J:1-b, I to read as follows:

I. There is hereby established a nonlapsing revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management

system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. ***If the revenue information management systems account revenue is not sufficient to cover the principal and interest on the bonds and notes to fund the RIMS project, the governor is authorized to draw a warrant from funds not otherwise appropriated.*** Said funds shall not be used for any other purpose.

350 New Section; Electronic Licensing, Certification, and Registration System; Department of Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new section:

425:12-a Electronic Licensing, Certification, and Registration System. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of all departmental licensing, certification, and registration duties. Such system shall be capable of receiving electronically transmitted product registrations, license applications, certificate applications, and related materials. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

351 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing, Certification, and Registration System. For the purpose of developing an electronic licensing, certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of $360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

352 Refuse Reduction; Disposal Prohibited. Amend the section heading of RSA 149-M:27 to read as follows:

149-M:27 [~~Refuse Reduction~~] ***Disposal Prohibited.***

353 New Paragraph; Food Waste Disposal. Amend RSA 149-M:27 by inserting after paragraph IV the following new paragraph:

V.(a) Beginning February 1, 2025, any person generating one ton of food waste per week or greater shall not dispose of such waste in a landfill or incinerator provided that:

(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

(2) The alternative facility has adequate capacity to accept the food waste.

(b) Food waste prohibited from disposal under subparagraph (a) shall be separated from

other types of solid waste and managed in accordance with one or more of the following methods, in order of preference:

(1) Reduction of the amount generated at the source;

(2) Consumption by humans;

(3) Consumption by animals;

(4) Composting, digestion, or land application as appropriate; and

(5) Energy recovery not involving combustion.

354 Definitions; Food Waste. Amend RSA 149-M:4, IX-a to read as follows:

IX-a. ***"Food waste" means the organic residues generated by the handling, preparation, storage, sale, and serving of foods and beverages. "Food waste" includes pre-consumer and post-consumer organic residues, food scraps, and non-petroleum oil used for food preparation provided it does not contain sanitary wastewater.***

IX-b. "General permit" means a permit which contains terms and conditions applicable to a specific category of facility, which applies to any facility in that category which has submitted the required information and agreed to abide by the stated terms and conditions.

355 Solid Waste; Definitions; Source Reduction. RSA 149-M:4, XXIV is repealed and reenacted to read as follows:

XXIV. "Source reduction" means the practice of reducing the quantity or toxicity of waste generated at the source, before recycling, processing, disposal or treatment, by changing the processes that first generated the waste. Source reduction includes waste reduction.

356 Department of Environmental Services; New Position; Waste Management Specialist III. There is established the position of Waste Management Specialist III to administer the provisions of RSA 149-M:27, V. The position shall be funded from the solid waste management fund established under RSA 149-R:3.

357 Effective Date. Sections 352-356 of this act shall take effect January 1, 2024.

358 Definitions; PFAS Fund and Programs. Amend RSA 485-H:2, IV to read as follows:

IV. "PFAS [~~loan~~] ***response*** fund" means the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

359 Implementation of Drinking Water Protection Program; PFAS Response Fund. Amend RSA 485-H:3, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made and will make reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party after the loan is provided is applied to early repayment of such loan to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent

the negligence of the applicant caused the contamination that resulted in the exceedance of a PFAS drinking water standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness or grant. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

360 Implementation of Groundwater, Surface Water and Aquatic Life Protection; PFAS Response Fund. Amend RSA 485-H:4, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party at a later time is applied to early repayment of the loan from the PFAS [~~loan~~] ***response*** fund to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of an applicable PFAS standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

361 New Subparagraph; Duties of the Department; PFAS Response. Amend RSA 485-H:8, I by inserting after subparagraph (d) the following new subparagraphs:

(e) Investigating, testing, and monitoring PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

(f) Conducting scientific investigation to support development of appropriate regulatory standards for PFAS, and development and implementation of treatment and remediation methods for PFAS in air, water, soil and other media.

362 PFAS Response Fund Established. Amend RSA 485-H:10 to read as follows:

485-H:10 PFAS [~~Remediation Loan~~] ***Response*** Fund Established. There is hereby established in the department the PFAS [~~remediation loan~~] ***response*** fund which shall be maintained [~~by the state treasurer in~~] ***as*** distinct and separate [~~custody~~] from all other funds[~~, notwithstanding RSA 6:12~~]. The [~~state treasurer may invest the~~] PFAS [~~remediation loan~~] ***response*** fund ***shall be invested*** in accordance with RSA 6:8. Any earnings on PFAS [~~remediation loan~~] ***response*** fund moneys shall be added to the PFAS [~~remediation loan~~] ***response*** fund. All moneys in the PFAS

[~~remediation loan~~] ***response*** fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS [~~remediation loan~~] ***response*** fund shall be used to fund ***departmental duties as outlined in RSA 485-H:8, including*** loans***, grants,*** and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds related to the PFAS [~~remediation loan~~] ***response*** fund shall be credited to the PFAS [~~remediation loan~~] ***response*** fund.

363 Application of Receipts; PFAS Response Fund. Amend RSA 6:12, I(b)(361) to read as follows:

(361) Moneys deposited in the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

364 PFAS Response Fund. Amend 2022, 326:10 to read as follows:

326:10 Appropriation; PFAS [~~Remediation Loan~~] ***Response*** Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the PFAS [~~remediation loan~~] ***response*** fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. ***Up to 10 percent of the moneys appropriated under this section may be used to fund the duties of the department outlined in RSA 485-H:8, I.***

365 Department of Environmental Services; Appropriation; PFAS Response Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the PFAS response fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

366 Effective Date. Sections 358 -364 of this act shall take effect upon its passage.

367 Effective Date. Section 365 shall take effect June 30, 2023.

368 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

III. The department is authorized to solicit funds from [~~the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section~~] ***any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives.*** [~~Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.~~]***Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.***

369 Appropriation; Solid Waste Management Fund. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the solid waste management fund established under RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated

with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

370 Effective Date. Section 369 of this act shall take effect June 30, 2023.

371 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such additional justices to preside over cases assigned to the land use review docket, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of appeal. At the structuring conference the court shall set a deadline for the filing with the court of

the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of the certified record. The court shall issue a decision on the merits within 60 days of the hearing. The court may extend any of the deadlines established in this paragraph upon agreement of the parties or for other good cause shown, but if the extension is based upon good cause, the court shall articulate in its order granting the extension the specific facts and circumstances that warrant the extension.

372 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and [~~21~~] ***22*** associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term, he or she may return to the position of associate justice, whether or not an associate justice vacancy then exists.

373 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA 110-B:55, I to read as follows:

I. Fines may be paid to a military court or to an officer executing its process. The amount of any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the same may be collected with lawful costs of collection, as in the case of executions issued in action founded upon torts. ***Fines collected shall be paid over to the state treasurer and credited to the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.***

374 Department of Military Affairs and Veterans Services; New Hampshire National Guard Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the purpose of encouraging enlistment in the national guard there is hereby established a New Hampshire national guard enlistment incentive program. This program authorizes a cash incentive up to [~~$500~~] ***$1,000*** to current members of the New Hampshire national guard in the pay grades of E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service recruit that they bring into the New Hampshire national guard.

375 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive Program. Amend RSA 110-B:61, I to read as follows:

I. There is hereby established a fund to be known as national guard enlistment incentive program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of encouraging enlistment in the national guard and shall not be used for any other purpose. The adjutant general shall oversee expenditures from the fund. The moneys in the fund shall be ***continually appropriated and***

nonlapsing.

376 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

110-B:62 Oversight and Administration. The adjutant general shall [~~adopt rules pursuant to RSA 541-A relative to~~] ***establish procedures necessary for*** the administration of the enlistment incentive program and relative to its execution by the New Hampshire Army and Air National Guard recruiting offices in coordination with the department of military affairs and veterans services.

377 Department of Military Affairs and Veterans Services; Postsecondary Educational Assistance; Eligibility Determinations. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility Determinations. Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall ***establish*** [~~adopt rules, pursuant to RSA 541-A, and~~] procedures [~~deemed by the adjutant general to be~~] necessary to carry out and monitor the educational assistance provided by this subdivision.

378 Effective Date. Sections 373 - 377 of this act shall take effect 60 days after its passage.

379 Department of Corrections; Division of Personnel and Information; Personnel Management; Recruitment and Retention Program. RSA 21-H:4, V(a) is repealed and reenacted to read as follows:

(a) Personnel management, recruitment, and retention. The department shall develop a program for the recruitment, selection, placement, and retention of qualified applicants for the New Hampshire department of corrections.

(1) The program may include expenditures for recruitment and retention activities and incentives, including but not limited to:

(A) National Corrections Professionals Week recognition activities at all departmental sites to support employee retention, which may include a paid meal for the site during the week, physical awards and gift cards with a value of less than $25 as performance incentives based on departmental policies for employee recognition, and items issued to employees that are within the financial scope of the department's current expense appropriations in expenditure class 020.

(B) Referral fees or bonuses for active employees or newly hired applicants who have not been employed by the state through a policy approved by the commissioner.

(2) Any recruitment or retention incentives received by an employee pursuant to this subparagraph shall not be considered gifts under RSA 15-B.

(3) Referral of applicants by current department employees for the purpose of receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued by the director regarding the referral program shall require that the benefits of the program shall be equally available to all department employees, except as specified in subparagraph (1)(B), and

subject to uniform criteria established by the director.

(4) Any expenditures made for recruitment or retention incentives pursuant to this subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

380 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall have discretionary authority to pay burial and wake expenses in an amount not to exceed $10,000 for an employee whose death occurs while on duty with the department of corrections and when the deceased employee's next of kin demonstrates an inability to afford the burial or wake expenses.

381 New Subdivision; Contact Person Notification Program. Amend RSA 106-B by inserting after section 34 the following new subdivision:

Contact Person Notification Program

106-B:35 Definitions. As used in this subdivision:

I. "Contact person notification program" or "program" means the program developed and operated pursuant to this subdivision.

II. "Law enforcement officer" means any state, county, or municipal law enforcement officer.

III. "Participating person" means a person:

(1) Who voluntarily provides to a law enforcement agency contact information for a person or persons to assist with communications and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person; or

(2) Who has a legal guardian under RSA 464-A and for whom the legal guardian provides to a law enforcement agency contact information to assist with communications, and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person.

106-B:36 Contact Person Notification Program.

I. The division of state police shall develop and implement a contact person notification program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. The program shall provide the law enforcement officer with access to contact information for a person that is voluntarily submitted by a participating person or the legal guardian of a participating person. The program shall be capable of interfacing with the state police online telecommunications system (SPOTS).

II. The division of state police shall develop and implement standards of procedure for the operation of the program for law enforcement agencies consistent with policies adopted by the department of safety. The standards shall address processing the application of a participating person or that person's legal guardian, determining the validity of identity and legal guardianship information, entering contact information into the state police online telecommunications system (SPOTS), procedures for a participating person or that person's legal guardian to withdraw from the program, and procedures for a law enforcement officer to access contact information.

382 Appropriation; Department of Safety; Contact Person Notification Program. The sum of $50,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety, division of state police for establishment and administration of the contact person notification program established in RSA 106-B:36. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

383 The sum of $150,000 is hereby appropriated for the fiscal year ending June 30, 2023, to the department of education for the purpose of contracting with the National Student Clearinghouse Student Tracker Program for each public school district in New Hampshire. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

384 Effective Date. Section 383 of this act shall take effect June 30, 2023.

385 New Paragraph; Math Learning Communities Program in Public Secondary Schools; Structure. Amend RSA 193-I:2 by inserting after paragraph III the following new paragraph:

IV. The community college system of New Hampshire shall annually submit a report listing the New Hampshire high schools that are partners in the math learning communities program to the department of education, the house education committee and the senate education committee no later than October 1. The submitted report shall contain, but not be limited to, the total number of students participating in the advanced mathematical foundation and quantitative reasoning courses; the number of summer institute participants; a summary of student achievement and growth using data based upon the Next-Generation Accuplacer (QAS) exam and the SAT math examination; and any other information as determined by the community college system of New Hampshire.

386 Appropriation; Community College System of New Hampshire. The sum of $200,000 for the fiscal year ending June 30, 2024 and the sum of $200,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the community college system of New Hampshire for the purpose of continuing the math learning communities program in partnership with New Hampshire high schools. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

387 Appropriation; Community College System of New Hampshire; Promise Program. The sum of $3,000,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the community college system of New Hampshire for the New Hampshire promise program for the purpose of

supporting access and affordability of postsecondary education for New Hampshire residents. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

388 Effective Date. Section 387 of this act shall take effect June 30, 2023.

389 The sum of $2,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the community college system of New Hampshire to expand workforce credential programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

390 Effective Date. Section 389 of this act shall take effect June 30, 2023.

391 Duties of the Department of Health and Human Services; Review of Rates for Child Day Care Services. For the biennium ending June 30, 2025, the department of health and human services shall review the rates established for the purchase of child day care services on behalf of eligible persons. This review shall consider the effects of the established rates on current costs, quality and availability of services. The commissioner shall adjust child care eligibility to 85 percent of the state median income as defined by the United States Census Bureau. If at any time the commissioner determines that funding is insufficient to provide services to those meeting the eligibility criteria, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

392 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2025, whether there is sufficient funding in account 05-95-42-421110-2977, class 536, to fund employment-related child care services to avoid a wait list and support greater utilization of employment related childcare. If at any time the commissioner determines that funding is insufficient, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistant to Needy Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report quarterly to the fiscal committee of the general court on any funds expended on employment-related child care services, including funds budgeted in account 05-95-42-421110-2977 as well as federal TANF funds authorized by this section.

393 Duties of the Department of Health and Human Services; Child Care Services Reimbursement Rates. For the biennium ending June 30, 2025, the department of health and human services shall set child care services reimbursement rates across all child care programs to match the 75th percentile of market rate survey or allow for rates to be set through an alternative "true cost of care" mechanism to be defined by the department of health and human services. If at any time the commissioner determines that funding is insufficient to set service rates at the 75th percentile, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the

amount of the shortfall.

394 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed and reenacted to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by general funds or by voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription drug affordability board administration fund, which shall be kept distinct and separate from all other funds. The fund shall be appropriated to and administered by the board. Voluntary contributions under this section shall be deposited in the fund. The board shall use the fund, consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the board. The fund may be used to pay administrative, technical, legal support, or other costs incurred by the board under this chapter. The state treasurer may invest moneys in the fund as provided by law, and all interest received on such investment shall be credited to the fund. The dedicated fund shall be subject to the provisions of RSA 6:12-j.

395 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures; Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and disclosures, confidentiality, and registration by the prescription drug affordability board shall be suspended for the biennium ending June 30, 2025.

396 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties, is repealed.

397 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is repealed and reenacted to read as follows:

VI. The board shall be administratively attached to the department of health and human services. For a limited time, the board may employ an executive director, who shall be an unclassified employee. The executive director shall be appointed by and serve at the pleasure of the board. Said position shall be effective for no more than 2 years following the date of hire of the individual first selected to fill the position. The board may also employ one contracted employee or more, dependent on the availability of funds.

398 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those for consulting services or personal contract services, shall be subject to the competitive bid process. Such contracts shall also be approved by the fiscal committee of the general court, the governor, and the executive council.

126-BB:12 Financial Report. The board shall annually report on any moneys spent by the board, the source of such funds, the purpose of spending such funds, and the progress of any project

on which the funds were spent. Such report shall be submitted to the fiscal committee of the general court, the committees having jurisdiction over the board in both the house of representatives and the senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

399 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by inserting after section 67 the following new section:

400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with the prescription drug affordability board established in RSA 126-BB, shall issue a report on the elimination of redundancies related to the collection, analysis, and reporting on prescription drug prices between the two organizations, including proposed legislation on such elimination, with the overarching goal of promoting efficiency and economy. This report shall be submitted to the health and human services oversight committee established in RSA 126-A:13, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 1, 2024.

400 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

401 Effective Date. Section 400 of this act shall take effect October 1, 2024.

402 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of each managed care organization awarded contracts as vendors under the Medicaid managed care program, appointed by the governor.

(6) A representative of a hospital that operates in New Hampshire, appointed by the New Hampshire Hospital Association.

(7) A public member, who has health care expertise, appointed by the senate president.

(8) A public member, who currently receives coverage through the program,

appointed by the speaker of the house of representatives.

(9) A public member representing the interests of small businesses in New Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

(10) A representative of the medical care advisory committee, department of health and human services, appointed by the commissioner of the department of health and human services.

(11) A licensed physician, appointed by the New Hampshire Medical Society.

(12) A licensed mental health professional, appointed by the National Alliance on Mental Illness New Hampshire.

(13) A licensed substance use disorder professional, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.

(14) An advanced practice registered nurse (APRN), appointed by the New Hampshire Nurse Practitioner Association.

(15) The chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this commission.

II.(a) The commission shall evaluate the effectiveness and future of the program. Specifically the commission shall:

(1) Review the program's financial metrics.

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to, whether the program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Review up-to-date information regarding changes in the level of uncompensated care through shared information from the department, the department of revenue administration, the insurance department, and provider organizations and the program's impact on insurance premium tax revenues and Medicaid enhancement tax revenue.

(6) Evaluate reimbursement rates to determine if they are sufficient to ensure access to and provider capacity for all behavioral health services.

(7) Review the reasons beneficiaries are not re-enrolled in the program.

(8) Review the program's provider reimbursement rates and overall financing structure to ensure it is able to provide a stable provider network and sustainable funding

mechanism that serves patients, communities, and the state of New Hampshire.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

(c) The commission shall meet at least annually.

III. The members of the commission shall elect a chairperson from among the members. Eight members of the commission shall constitute a quorum.

IV. On or before November 1, the commission shall make annual recommendations for any proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor, as appropriate.

403 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed. Amend RSA 176-A:1, III to read as follows:

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3[~~; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund established in RSA 126-AA:3~~].

404 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount [~~of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV and~~] ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

405 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse prevention and treatment fund [~~pursuant to RSA 176-A:1, IV~~] ***in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made***

during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year;

406 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

407 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend 2018, 342:25, II to read as follows:

II. Paragraphs III and VII of section 24 of this act shall take effect December 31, [~~2023~~] ***2030.***

408 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

409 Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the actual amount of the final agreed contribution from the Foundation for Healthy Communities, anticipated to take place by December 31, 2023.

410 Effective Date. Sections 403 - 405, 407, and 408 of this act shall take effect December 31, 2023.

411 Effective Date. Section 406 of this act shall take effect November 1, 2028.

412 New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA 167:68 by inserting after paragraph III the following new paragraph:

IV.(a) Pursuant to the state option under the section 5113 of the Consolidated Appropriations Act of 2023 to expand maternity care under Medicaid and section 1902(e)(16) of the Social Security Act (42 U.S.C. 1396a(e)), the commissioner of the department of health and human services shall submit, no later than August 15, 2023, a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and implement 12 months of continuous coverage for the entire postpartum period. This benefit shall be available to anyone who received medical assistance under the state plan for all pregnancy-related and postpartum medical assistance available under the state plan through the last day of the month in which the 60-day period (beginning on the last day of her pregnancy) ends, remain eligible under the state plan for medical assistance for the period beginning on the first day occurring after the end of such 60-day period and ending on the last day of the month in which the 12-month period (beginning on the last day of her pregnancy) ends.

(b) The medical assistance provided for a pregnant or postpartum woman under this

section shall, consistent with Section 1902(e)(16) include all items and services covered under the state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

(c) The purpose of the program shall be, through ensuring continuous coverage for a 12-month postpartum period, to increase identification and mitigation of preventable pregnancy related and pregnancy associated morbidity and mortality, including those related to substance use disorder and mental illness.

(d) On January 1, 2024, the commissioner shall begin submitting quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's progress in obtaining and implementing the state plan amendment. The quarterly reports shall include the department's plans for reducing administrative burdens for enrollees and the department's efforts to expand access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to subparagraph (a). Reports submitted under this subparagraph shall also be posted on the department's website.

413 Appropriation. The sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of expanding postpartum health care services under the state Medicaid plan as provided in this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated.

414 Effective Date. Section 413 shall take effect on June 30, 2023.

415 New Subdivision; Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services

126-A:99 Medicaid Doula Coverage.

I. Notwithstanding any other provision of this chapter, doula services shall be covered under the medical assistance for eligible Medicaid beneficiaries.

II. As used in this section, "doula services" means services provided by a highly-qualified doula certified by the state pursuant to RSA 310-A:222 and designed to provide physical, emotional, and educational support to pregnant women before, during, and after childbirth. Doula services include the following:

(a) Support and assistance during labor and childbirth.

(b) Prenatal and postpartum support and education.

(c) Breastfeeding assistance and lactation support.

(d) Parenting education.

(e) Support for a birthing person following loss of pregnancy.

III. The department of health and human services is authorized to take any action to include doula services in the medical assistance program, including seeking waivers or amending the Medicaid state plan to provide reimbursement for doulas who provide Medicaid eligible services to eligible Medicaid beneficiaries.

IV. Not later than January 31, 2025, the commissioner shall report to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor, a set of metrics determined by the department of health and human services.

V. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this section. The rules shall address the requirements and expertise of practicing doulas, doula training providers, and home visiting experts. Every 2 years, the department shall assess the rates of reimbursement for doula services and adjust rates accordingly.

126-A:100 Medicaid Coverage of Lactation Services; Reimbursement Required.

I. The department of health of health and human services shall cover lactation services for Medicaid recipients as a pregnancy-related service under New Hampshire's Medicaid program.

II. The department is authorized to use the following Medicaid coverage categories to reimburse lactation services:

(a) Inpatient hospital services, other than services in an institution for mental disease, per Social Security Act (SSA) section 1905(a)(1);

(b) Outpatient hospital services, per SSA section 1905(a)(2)(A) and 42 C.F.R. section 440.10;

(c) Early and periodic screening, diagnostic, and treatment services for individuals who are eligible under the plan and are under the age of 21, per SSA section 1905(a)(4)(B);

(d) Physicians' services furnished by a physician under the physician's supervision, whether furnished in the office, the patient's home, a hospital, or a nursing facility, or elsewhere, per SSA section 1905(a)(5)(A);

(e) Services furnished by a nurse-midwife, which the nurse-midwife is legally authorized to perform under State law, per SSA section 1905(a)(17);

(f) Freestanding birth center services, per SSA section 1905(a)(28); and

(g) Services furnished by nurse practitioners per 42 C.F.R. section 440.166 and other licensed practitioners per 42 C.F.R. section 440.60.

III. Reimbursable lactation services shall include:

(a) Breastfeeding education;

(b) Individual lactation consultation; and

(c) Equipment rentals.

126-A:101 Medicaid Coverage of Donor Breast Milk; Reimbursement Required.

I. The department of health and human services shall provide reimbursement under the medical assistance program for donor breast milk provided to an infant receiving benefits under this chapter by organizations approved by the department if a physician or physician assistant licensed in this state or an advanced practice registered nurse licensed in this state signs an order state the following:

(a) The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and

(b) The infant:

(1) Was born at a birth weight of less than 1,500 grams;

(2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;

(3) Is not appropriately gaining weight or growing;

(4) Has formula intolerance and is experiencing weight loss or difficulty feeding;

(5) Has low blood sugar;

(6) Has congenital heart disease;

(7) Has received or will receive an organ transplant; or

(8) Has another medical condition for which donor breast milk is medically necessary.

II. The department shall adopt rules pursuant to RSA 541-A to implement the program described in this section.

416 Medicaid State Plan; Requiring Coverage of Donor Breast Milk. The department of health and human services shall prepare and submit a Medicaid state plan amendment or waiver as necessary to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services no later than September 30, 2023 that provides or requests, as appropriate, Medicaid coverage consistent with RSA 126-A:101 for the coverage of donor breast milk for eligible infants.

417 Appropriation; Reimbursement for Donor Breast Milk under the Medicaid Program. The sum of $250,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for donor breast milk for eligible infants under the state Medicaid plan as provided in sections 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-3, or any other federal funds, can be used for this

purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

418 Appropriation; Reimbursement for Doulas under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for state-certified doulas under the state Medicaid plan as provided in section 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

419 Appropriation; Reimbursement for Lactation Services under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for lactation services under the state Medicaid plan as provided in section 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

420 Effective Date. Sections 417-419 of this act shall take effect June 30, 2023.

421 New Section; Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), no later than January 1, 2024, the commissioner of the department of health and human services shall submit to the Centers for Medicare and Medicaid Services (CMS) the state plan amendments required under Medicaid and the Children's Health Insurance Program (CHIP) to expand coverage to otherwise eligible pregnant women and children

who are lawfully residing in the United States. The state plan amendments shall elect the option for children up to age 19 and shall elect the option for pregnant women through the postpartum period. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

422 Appropriation: Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. The sum of $336,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the state share of the expansion of Medicaid and CHIP to include certain children and pregnant women as provided in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

423 Department of Health and Human Services; Purchase of Scanner. Of the amount appropriated to the department of health and human services in account 05-95-42-421510-6643, Sununu Youth Services Center, for the fiscal year ending June 30, 2024, an amount not to exceed $325,000 shall be used for the purpose of purchasing a full body scanner.

424 Transfer Authority; Sununu Youth Services Center. Notwithstanding RSA 9:16-a or any other law to the contrary, for the biennium ending June 30, 2025, the department of health and human services shall have the authority to transfer between all class lines in account 05-95-42-421510-6643, Sununu Youth Services Center.

425 Declaration of Purpose. New Hampshire voters passed the Right of Privacy into the state constitution in November 2018 with an 81 percent approval. With that vote, state government culture and behavior needed to be shaped by the words, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent". The department of health and human services has been subject to the Health Insurance Portability and Accountability Act since 1996 which drove initial efforts to develop a culture and infrastructure to protect personal data privacy. As a holder of personal information in state government, the department has a responsibility to demonstrate to the public the state's commitment to actively and overtly respect personal privacy, including privacy of personal information. Establishing and maturing a culture of privacy is core to successfully driving future efforts to implement and enhance privacy policies, procedures, and practices. Continuous improvement requires appropriate governance and policy leadership.

426 New Subdivision; Data Privacy and Information Technology Security Governance Board. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:99 Data Privacy and Information Technology Security Governance Board Established. There is hereby established a data privacy and information technology security governance board to oversee the department's use of data, data privacy, and information technology security that shall be

maintained by the department of health and human services.

126-A:100 Membership; Quorum.

I. The data privacy and information technology security governance board shall consist of the following members:

(a) The commissioner of the department of health and human services, who shall serve as the governance board chair.

(b) The department's privacy officer.

(c) Three directors of the department who have responsibility for one of the following areas: Medicaid services, public health, behavioral health, children, youth and families, or long-term support and services.

(d) The director of the department's bureau of human resource management.

(e) The director of the department's bureau of information services.

(f) The department's chief legal officer.

(g) The commissioner of the department of information technology.

(h) Up to 2 additional voting members appointed by the commissioner of the department of health and human services, if needed.

II. A quorum of this board shall consist of the named positions being in attendance with greater than 50 percent present. Members may delegate authority to represent them for the purposes of maintaining a quorum. The chair of the board may also delegate authority to another appropriate member of the governance board to serve during a specified meeting.

126-A:101 Duties.

I. The data privacy and information technology security governance board shall:

(a) Meet at least 3 times a year and post public facing meeting minutes within 2 weeks of the completion of each meeting on the department's web page.

(b) Become educated in what data governance means, how it will work for the organization, and what it means to embrace data governance and activate enterprise data stewards.

(c) Actively promote improved data governance practices across the department.

(d) Identify and approve of pivotal data governance roles and responsibilities for the department including cross-enterprise domain stewards and coordinators.

(e) Advise, review, and approve the department's data control, governance, and privacy practices in compliance with federal and state law and federal and state information privacy and security policies, with the goal to meet or exceed private market benchmarks for governance, risk management, and compliance.

(f) Drive strategic and timely implementation of a department-wide privacy policy, related procedures and processes to operationalize policy-derived controls, and effective risk management methodologies, including industry standards such as privacy impact assessments and privacy by design.

II. The data privacy and information technology security governance board may solicit information from any person or entity the board deems relevant to its quest.

126-A:102 Risk Management.

I. The department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment (PIA).

II. The assessment and plan shall:

(a) Assess risks to an individual's right to privacy within the department's information technology systems where the individual does not possess immediate control over their information.

(b) Recommend alternatives to both mitigate the risks and achieve the stated objectives of the department's systems.

(c) Identify those individuals and offices within the department who shall be directly accountable for the assessment and plan, the system at the time the assessment and plan are compiled, and any approved alternatives and mitigations as a result of the assessment and plan.

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2025.

IV. The assessment and plan shall be approved and may be acted upon by the commissioner. All assessments and plans conducted before the date of the next data privacy and information technology security governance board meeting shall be submitted to the board for review.

427 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be information technology manager IV, labor grade 32, step 7.

IV. The sum of $300,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

V. The department is authorized to use contract support available from funds prior to July 1, 2025.

428 Findings. The general court finds that given the statistically significant excess in the number of cases of kidney cancer in Merrimack, New Hampshire found by the department of health and human services, the known detection of environmental contaminants that have been associated with kidney cancer, and a trend of increasing incidence of kidney cancer over time, the department recommends that a feasibility study as determined by the New Hampshire Cancer Concern Investigation Protocol, Phase 3 be conducted. The general court further finds that a Phase 3 feasibility study would determine if an epidemiological study (Phase 4) is warranted and would identify appropriate cancers and health outcomes for inclusion in such study.

429 Appropriation; Department of Health and Humans Services; Phase 3 Feasibility Study.

I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025, to the department of health and human services to enter into a contract with an academic or research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study for the town of Merrimack to further understand potential exposures that may contribute to the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such funds shall be nonlapsing and appropriated to the department for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. In order to provide funding for said appropriation, and subject to prior review by the joint legislative oversight committee on health and human services established in RSA 126-A:13, the department shall first use any available grant funding or any other non-state funds which may be used for this purpose.

430 General Fund Transfer to Highway Fund. The sum of $10,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the highway fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

431 Effective Date. Section 430 of this act shall take effect June 30, 2023.

432 Purpose Statement. The general court finds that people and animals accessing lakes and rivers across the state have been impacted by cyanobacteria blooms, which pose a threat of acute and chronic illnesses from the toxins they release. Many of these blooms have been triggered by phosphorus loading from direct run-off, poor culvert design, inefficient or failed septic systems, internal loading of phosphorus, among other causes. The cost of designing, installing and repairing mitigation systems or projects for many communities, watershed management associations, and lake associations, would result in dramatically higher property taxes or would take many years of fundraising and delay projects exacerbating the problem. The mitigation of contributors to cyanobacteria blooms requires a strategy to protect, preserve, and enhance the water quality that

New Hampshire citizens and the natural environment depend upon.

433 New Subdivision; Cyanobacteria Mitigation Loan Program. Amend RSA 485-A by inserting after section 57 the following new subdivision:

Cyanobacteria Mitigation Loan Program

485-A:58 Establishment and Implementation of Cyanobacteria Mitigation Loan Program.

I. There is established in the department of environmental services the cyanobacteria mitigation loan program. The program shall provide low interest loans to:

(a) Municipalities, community water systems and non-profit lake and river watershed associations whose testing shows confirmed and chronic exceedances of the state health advisory for cyanobacteria, for remediation efforts begun after September 30, 2023.

(b) Publicly-owned and non-profit lake or river watershed associations that have a watershed management plan which specifies sources of phosphorus loading approved by the department of environmental services.

II. Projects shall only be financed after the applicant's proposed mitigation plan or watershed management plan demonstrates that such plan is the most cost-effective solution, as reviewed and approved by the department of environmental services. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts that would result in a substantial decrease in external phosphorus loading. The applicant shall also show that there is no responsible party identified by department of environmental services or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

III. Loans or grants may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

IV. The cyanobacteria mitigation program shall forgive up to 10 percent of the loan principal to community water systems, publicly owned or non-profit lake or river watershed associations using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

V. Total loan forgiveness under this section shall not exceed $1,000,000 in a fiscal year.

485-A:59 Duties.

I. The department of environmental services shall:

(a) Administer the cyanobacteria mitigation loan and grant program to assist municipalities; community and non-profit, lake and river watershed association; with the cost of reducing the number of chronic and extended cyanobacteria bloom that the department considers to be a threat to long term health of water bodies. For purposes of this subparagraph, administration includes oversight of the grant or loan expenditures to ensure they are not misused.

(b) Administer a loan forgiveness program to assist municipalities, community, and non-profit, lake and river watershed association with loan repayment.

(c) Award loan or grant funds to projects that meet the following criteria:

(1) The project is or was necessary to reduce phosphorus loading identified in an accepted watershed management plan and the applicant for funding is a municipality, a community water system, or a non-profit, lake or river watershed association.

(2) The applicant has demonstrated, to the satisfaction of the department, that low or no-cost solutions are neither viable nor effective.

(d) Award reimbursements to projects from the fund in a manner consistent with this chapter.

II. Every year beginning December 1, 2024, the department of environmental services shall prepare and file a report with the general court evaluating the progress made relative to mitigating cyanobacteria blooms, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the fund could be used to address cyanobacteria blooms.

485-A:60 Rules. The department of environmental services shall adopt rules, under RSA 541-A, relative to administering cyanobacteria loan and grant programs for eligible projects.

485-A:61 Cyanobacteria Mitigation Loan and Grant Fund Established. There is hereby established in the department of environmental services the cyanobacteria mitigation loan and grant fund which shall be maintained by the state treasurer in distinct and separate custody from all other funds. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services. The cyanobacteria mitigation loan and grant fund shall be used to fund loans, grants, and reimbursements in accordance with this subdivision. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds shall be credited to this fund.

434 New Subparagraph; Cyanobacteria Mitigation Loan and Grant Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the cyanobacteria mitigation loan and grant fund established in RSA 485-A:61.

435 Appropriation; Department of Environmental Services. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of environmental services for deposit into the cyanobacteria mitigation loan and grant fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

436 Effective Date. Section 435 of this act shall take effect June 30, 2023.

437 Committee Established. There is established a committee to study the impact on SNAP and Medicaid changes on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs.

438 Membership and Compensation.

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

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

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

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

439 Duties. The committee shall study the impact on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs in the following ways:

I. Relative to the recent expansion of categorical eligibility for the Supplemental Nutrition Assistant Program (SNAP) from 185% to 200% of federal poverty level.

II. If the state of New Hampshire should apply to participate in the demonstration projects to evaluate direct certification with Medicaid administered by the United States Department of Agriculture (USDA).

III. If the income eligibility under RSA 189:11-a, I(a), relative to free school meals, should be expanded.

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

441 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

442 Effective Date. Sections 437 through 441 of this act shall take effect upon its passage.

443 Youth Detention Center; Construction Funds. Notwithstanding any other act of the legislature or law to the contrary, any secured treatment facility constructed to replace the current Sununu Youth Services Center shall be funded entirely with federal discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which have previously been allocated by the governor but which have not been expended. No state general funds shall be appropriated for the purpose of constructing the replacement facility and any funds appropriated to the project shall not be transferred or used for any other purpose.

444 Department of Health and Human Services; Family Resource Centers; Appropriations.

I. The following amounts are appropriated to the department of health and human services :

(a) The sum of $2,000,000 for the state fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025.

(b) The sums of $1,000,000 for the state fiscal year ending June 30, 2024 and $1,000,000 for the state fiscal year ending June 30, 2025.

II. The amounts appropriated in paragraph I shall be to support family resource center (FRC) infrastructure. The appropriations shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds shall include, but not be limited to, better serving families, preparing for FRC-Q designation, enhancing coordination with other early childhood systems, and supporting evidence-based programs such as home visiting programs, ACERT, and community collaborations. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

444-a Effective Date. Subparagraph I(a) of section 444 shall take effect June 30, 2023.

445 Department of Health and Human Services; System of Care; Appropriation. There is hereby appropriated to the department of health and human services the sum of $16,500,000 for the biennium ending June 30, 2025, to support residential treatment provider rates as a component of the system of care. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

446 Department of Administrative Services; Scheduling Software. Any remainder of the sum appropriated in class 038 to the department of administrative services for the purpose of obtaining and implementing scheduling software shall not lapse until June 30, 2025.

447 Effective Date. Section 446 of this act shall take effect June 30, 2023.

448 Appropriation; Building Maintenance Fund. The sum of $3,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-I:11-d to address deferred maintenance for state-owned buildings. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

449 Effective Date. Section 448 of this act shall take effect June 30, 2023.

450 Appropriation; Department of Administrative Services. The sum of $1,200,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of administrative services for the purpose of moving and fit up costs for state agencies. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

451 Effective Date. Section 450 of this act shall take effect June 30, 2023.

452 Appropriation; Building Maintenance Fund. The sum of $4,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-I:11-d for the state house annex renovations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

453 Effective Date. Section 452 of this act shall take effect June 30, 2023.

454 Appropriation; Department of Administrative Services; Circuit Court Facility; Purchase of Land. The location for siting of the new seventh circuit court facility shall be in the city of Rochester, New Hampshire identified on map 0255, lot 0021-0001 on November 1, 2022.

Notwithstanding any other provision of law the state, through the department of administrative services, shall be permitted to enter into an agreement to acquire the property from Rochester for the sum of $1.00 and the sum of $1.00 is hereby appropriated to the department of administrative services for the biennium ending June 30, 2025 for the purpose of purchasing the land from the city of Rochester identified on map 0255, lot 0021-0001 on November 1, 2022. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

455 Sale of Land; Department of Administrative Services; Circuit Court Facility. Notwithstanding any other provision of law, the state, through the department of administrative services, shall be permitted to enter into an agreement to sell property and facility to the city of Rochester where the current seventh circuit court facility is located on map 0121, lot 0016-0000 on October 1, 2022 for the sum of $1.00. The sale of the current courthouse and land shall not occur until the new seventh circuit court facility is constructed, furnished, and operating.

456 Public Officers and Employees; Compensation of Certain State Officers; Health and Human Services Review; Certain Unclassified Employees. Amend RSA 94:1-f, II to read as follows:

II. The commissioner of the department of administrative services shall submit the information to an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified state officers for those positions where the position title does not accurately reflect the job responsibilities. The consultant shall assess the recommended allocation, recommend an alternate allocation, if necessary, and include the reasoning for such allocation in its report. The commissioner shall submit the consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter grade allocation. The department of health and human services shall make a contribution from [~~salary line appropriations~~] ***an existing appropriation*** to the salary adjustment fund pursuant to RSA 99:4 to reimburse for the cost associated with the review of each position.

457 Department of State; Appropriation. The sum of $90,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of state for the purpose of updating annual software subscriptions and additional programing costs for the high-speed scanners enabling additional Accuvote audits to be conducted. Such funds shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

458 Effective Date. Section 457 of this act shall be effective June 30, 2023.

459 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b) to read as follows:

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the

member's average final compensation multiplied by the number of years of creditable service. After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service. Provided, however, that a group I member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60 if the member has at least 30 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 65 years of age, by 1/4 of one percent.

460 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(b)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

461 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(d)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

462 New Subdivision; New Hampshire Housing Champion Designation and Grant Program. Amend RSA 12-O by inserting after section 70 (InvestNH) the following new subdivision:

New Hampshire Housing Champion Designation and Grant Program

12-O:71 New Hampshire Housing Champion Designation.

I. The department shall develop a New Hampshire housing champion designation program for all qualifying municipalities. The New Hampshire housing champion designation program shall be voluntary. Each municipality shall have the option, in its sole discretion, to apply to the department to receive the New Hampshire housing champion designation. In exchange for New Hampshire housing champion designation, a municipality shall receive preferential access to state resources including, but not limited to, discretionary state infrastructure funds, as available.

II. The department shall adopt rules to establish qualifications and procedures for a municipality to receive the New Hampshire housing champion designation. The designation procedure shall be based on a scoring system.

III. Qualifications to receive the New Hampshire housing champion designation shall include:

(a) Adoption of such land use regulations and ordinances which the department determines to be necessary to promote the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state. In this subdivision, "land use regulations and ordinances" may include, but are not limited to, zoning ordinances adopted pursuant to RSA 674:16, innovative land use controls adopted pursuant to RSA 674:21, subdivision regulations adopted pursuant to RSA 674:35, and site plan regulations adopted pursuant to RSA 674:43.

(b) Training of planning board and zoning board of adjustment members using training materials and programs, including online materials and programs, provided by the department pursuant to RSA 673:3-a; or training materials and programs, including online materials and programs, provided by the New Hampshire Municipal Association, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves; or any other training materials and programs, including online materials and programs, approved by the department, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves.

(c) Implementation of sewer and water infrastructure improvements intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

(d) Implementation of public transportation, sidewalks, or other walkability infrastructure intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

IV. Qualifications to receive the New Hampshire housing champion designation may also include, but are not limited to adoption of financial tools that incentivize the development of workforce housing, including adoption of the community revitalization tax relief incentive program under RSA 79-E and establishment of municipal economic development and revitalization districts under RSA 162-K.

V. Municipalities that receive a New Hampshire housing champion designation shall annually report in a form required by the department. The annual report shall include such measures as the department may determine, including but not limited to land use board applications and approvals and building permits.

VI. A New Hampshire housing champion designation shall be valid for 3 years from the date such designation is awarded. A municipality may seek renewal of its New Hampshire housing champion designation for subsequent 3-year periods. The department shall include in the criteria for renewal performance metrics including, but not limited to, the qualifications listed in paragraphs III and IV.

VII. Each year the department shall develop a report which describes all actions taken related to the operation of the New Hampshire housing champion designation program in the preceding state fiscal year and assesses the overall impact of the New Hampshire housing champion designation program, including an assessment of the additional housing units produced in the state as a result of the program's operation and incentives. The report required by this paragraph shall be submitted to the governor, the speaker of the house of representatives, and the president of the senate on or before November 1 of each year, beginning in 2024, and upon such submission, the report shall be posted online on the website of the department.

12-O:72 Housing Planning and Regulation Municipal Grant Program. The department shall establish a grant program for municipalities to assist them in promoting increased housing production. Subject to availability of funding, the department shall make grants to any municipality for the purpose of consultation or implementation of revising their master plans and land use regulations for the purpose of promoting the production of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state, and to assist them to become eligible for New Hampshire housing champion designation pursuant to RSA 12-O:69. The department shall adopt rules establishing grant eligibility criteria, grant maximums, and grant program administration.

12-O:73 Champion Benefits. A municipality which has received designation as a housing champion shall be eligible, subject to the rulemaking in RSA 12-O:75, for the following benefits:

I. Housing production municipal grant program. The department shall establish a grant program for municipalities that have made a commitment to facilitating increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality with such a designation on a per-unit basis for workforce housing units for which certificates of occupancy have been issued by the municipality in the preceding state fiscal year. The department shall adopt rules establishing eligibility criteria, per-unit grant maximums, maximum grants per project, a maximum amount that may be granted to any municipality in a year, and grant program administration.

II. Housing infrastructure municipal grant and loan program. The department shall establish a grant program for municipalities that are seeking to build infrastructure that will accommodate increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality, or support the creation of low-interest loan programs for any municipality, with such a designation to provide at least matching funding, as a grant, or all funding, as a loan, for new construction or capacity increases for drinking water, sanitary sewer, stormwater, highway infrastructure, telecommunications, and electrical distribution infrastructure. The department shall adopt rules establishing eligibility criteria, grant maximums, a maximum amount that may be granted to any municipality in a year, and grant program administration.

12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is hereby established in the state treasury the New Hampshire housing champion designation and grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72 and, RSA 12-O:73. The fund shall be non-lapsing and shall be continually appropriated to the department.

12-O:75 Administrative Rules. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024. During the rulemaking process, the department shall consult with relevant state agencies and entities that administer the programs and funds identified under RSA 12-O:73, II to ensure the rules for the New Hampshire housing champion designation program are not in conflict with the rules of these state agencies and entities.

12-O:76 Program Advisory Committee. The department shall establish a New Hampshire Housing Champion program advisory committee to review and make recommendations on initial rules proposed pursuant to RSA 12-O:75. Members of the program advisory committee shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board. The program advisory committee shall consist of:

(a) One member of the senate, appointed by the senate president.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) The commissioner of the department of business and economic affairs, or designee.

(d) The executive director of the New Hampshire housing finance authority, or designee.

(e) The executive director of the community development finance authority, or designee.

(f) Two members appointed by the New Hampshire Municipal Association, one representing a city and one representing a town.

(g) One member appointed by the New Hampshire Association of Regional Planning Commissions.

(h) One member appointed by the New Hampshire Planners Association.

463 Repeal. RSA 21-O:76, relative to the program advisory committee, is repealed.

464 Positions Established. The following positions are established within the department of business and economic affairs for the purpose of administering the New Hampshire housing champion designation and grant program established pursuant to RSA 12-O:71 through 12-O75:

Administrator II.

Program Specialist IV.

Principal Planner.

465 Application of Receipts; Dedicated Funds. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire housing champion designation and grant program fund established in RSA 12-O:74.

466 Appropriations; Housing Champion Designation and Grant Program Fund.

I. The sum of $5,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire housing champion designation and grant program fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of $250,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of business and economic affairs for the purpose of administering the housing champion program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

467 Effective Date.

I. Section 463 of this act shall take effect July 1, 2033.

II. Section 466 of this act shall take effect June 30, 2023

468 New Subdivision; Commission to Study Hospitality and Tourism Education in New Hampshire. Amend RSA 187-A by inserting after section 44 the following new subdivision:

Commission to Study Hospitality and Tourism Education in New Hampshire

187-A:45 Commission to Study Hospitality and Tourism Education in New Hampshire.

I. There is established a commission to study hospitality and tourism education in New Hampshire. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The president of the New Hampshire Restaurants and Lodging Association, appointed by that association.

(d) One owner or operator of a restaurant in New Hampshire, appointed by the governor.

(e) One owner or operator of a hotel or inn in New Hampshire, appointed by the governor.

(f) One representative from the New Hampshire community college system, appointed by the chancellor.

(g) One representative from the New Hampshire university system, appointed by the chancellor.

(h) A representative from a career and technical Education center (CTE), appointed by the commissioner of the department of education.

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

III. The commission shall:

(a) Examine existing hospitality and tourism programs and community colleges and universities statewide, including curriculum and enrollment trends.

(b) Work with appropriate state agencies including the department of natural and cultural affairs, division of travel and tourism, to determine state needs and how those needs are being met by the tourism and hospitality programs in the university system and the community college system.

(c) Work with other state agencies, as needed.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

VI. The commission shall be administratively attached to the department of business and economic affairs, division of travel and tourism development.

469 Repeal. RSA 187-A:45, relative to a commission to study hospitality and tourism education in New Hampshire, is repealed.

470 Effective Date.

I. Section 469 of this act shall take effect November 1, 2023.

II. Section 468 of this act shall take effect upon its passage.

471 Liquor Commission Funds; Alcohol Abuse Prevention and Treatment Fund. Amend RSA 176:16, III to read as follows:

III. Five percent of the [~~previous~~] ***preceding*** fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire ***annual*** comprehensive [~~annual~~] financial report, statement of revenues, expenses, and changes in net position for proprietary funds. ***Such deposit shall be processed in 2 installments as follows:***

(a) The commission shall process the initial deposit on or before August 1st of the ensuing fiscal year. Such deposit shall be calculated based on an estimate of the preceding fiscal year gross profit derived by the commission from the sale of liquor.

(b) Upon issuance of the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the commission shall process a second and final deposit or adjustment.

(c) If the amount of the initial deposit exceeds the final amount calculated based on the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the comptroller shall transfer the excess amount from the alcohol abuse prevention and treatment fund established by RSA 176-A:1 to the liquor fund.

472 Appropriation; Liquor Commission; Handheld Personal Computers. The sum of $400,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the liquor commission for the purchase of handheld personal computers for use at the commission's retail stores. This appropriation shall not lapse. Said appropriation shall be a charge against the liquor commission fund under RSA 176:16.

473 Effective Date. Section 472 of this act shall take effect June 30, 2023.

474 Legislative Findings. Electric vehicles contribute to the reduction of air pollution in New Hampshire and serve an important role in transitioning the transportation sector to clean energy. Electric vehicles will be a component in the use of battery storage in transactive distribution networks to reduce energy costs and add resilience to the New Hampshire distribution and transmission network. Electric vehicle service equipment availability promotes tourism as well as adoption of electric vehicles by New Hampshire consumers. The adoption of electric vehicles will lead to a decline in New Hampshire road toll revenues derived from transportation fuel taxation, so there should be a fee for electric vehicles to offset these losses of revenue.

475 New Section; Vehicle Registration Fee to be Collected. Amend RSA 261 by inserting after section 141-b the following new section:

261:141-c Electric Vehicle Registration Fee to be Collected.

I. Battery electric vehicles, as defined in RSA 236:132, I, shall be assessed a surcharge of $100 on annual registration, and plug-in hybrid vehicles, as defined in RSA 236:132, V shall be assessed a surcharged of $50, to be deposited in the highway fund. The department of safety,

division of motor vehicles shall determine necessary procedures for determining vehicles subject to this surcharge.

II. The division of motor vehicles and the department of transportation shall report annually on or before January 1 of each year to the New Hampshire transportation council, speaker, president, and chairs of house and senate transportation committees on the surcharge revenue.

476 Auxiliary State Police. Amend RSA 106-B:19 to read as follows:

106-B:19 Auxiliary State Police. The director is authorized to recruit, train, and organize an auxiliary state police force [~~of not more than 16 persons~~] for the purpose of providing emergency services throughout the state for peacetime or wartime emergencies or threatened emergencies and for augmenting the state police force in such manner as the director may deem appropriate. Notwithstanding other provisions the director may recruit such auxiliary force from retired state or local police. Such auxiliary force shall at all times be under the direction and control of the said director and shall be subject to rules adopted by the director under RSA 541-A and shall be limited to specific hours in any given calendar year for part-time police officers adopted in rules under RSA 541-A by the police standards and training council, pursuant to RSA 106-L:6, III.

477 New Sections; Northern Border Alliance Program. Amend RSA 21-P by inserting after section 68 the following new sections:

21-P:69 Northern Border Alliance Program.

I. The commissioner of safety shall establish a northern border alliance program which shall make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police for the following purposes:

(a) Overtime costs for officers performing law enforcement activities under this program.

(b) Equipment for use in performing law enforcement activities under this program.

(c) Training costs, including overtime backfill, for officers participating in this program.

II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to other state, county, and local law enforcement agencies. The protocols and conditions shall focus on reducing the instance of crimes and illicit activity occurring within 25 air miles from the Canadian border. The protocols and conditions shall:

(a) Establish state police as the lead agency for scheduling patrol and coordination with participating agencies.

(b) Ensure that officers assigned to patrols are relieved of taking calls for service absent an emergency.

(c) Ensure that the officers assigned to such patrol units have been trained on state and, if applicable, federal policies, laws and constitutional provisions.

III. The program shall include the following prohibitions on allowable uses of funds:

(a) No funds shall be granted for "purchase of evidence" or for "confidential funds."

(b) No funds shall be used for supplanting locally budgeted and approved funds for routine law enforcement.

IV. The program shall include semi-annual reporting, to the governor, senate president, and speaker of the house of representatives, which includes measurable program results and a detailed accounting of program funding and uses. The first report shall be submitted on or before December 31, 2023.

21-P:70 Northern Border Alliance Fund.

I. There is hereby established the northern border alliance fund within the department of safety for the purpose of make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police to reduce the instance of crimes and illicit activity in close proximity to the Canadian border. All moneys in the fund shall be nonlapsing and continually appropriated to the department of safety.

II. The fund shall be overseen by the commissioner of the department of safety who shall, within 180 days of the effective date of this section, establish a process for the application for grants from the fund. Such process shall be established in rules adopted in accordance with RSA 541-A.

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

478 Appropriation; Department of Safety; Northern Border Alliance Program.

I. The sum of $1,435,384 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of safety and shall be nonlapsing. This sum shall be expended as follows:

(a) $619,641 shall be expended by state police for the purpose of funding overtime patrols, related training activities and purchase equipment in support of the northern border alliance program.

(b) The sum of $815,743 is hereby appropriated to the department of safety to disburse grants to other state, county, and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the northern border alliance program established in RSA 21-P:69.

II. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

479 Effective Date. Section 478 of this act shall take effect on June 30, 2023.

480 Authority and Duties of Police Employees. Amend RSA 106-B:12 to read as follows:

106-B:12 Authority and Duties of Police Employees. Police employees shall be ex-officiis constables throughout the state. They shall have statewide authority to enforce all provisions of RSA title XXI relative to motor vehicle laws and the regulations relative to the transportation of hazardous materials, pursuant to RSA 106-A:18 and RSA 106-B:15. The director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the

state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the director shall immediately make a report to the attorney and the sheriff of the county and the chief of police of the municipality in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees. ***Further, police employees acting within 25 air miles of the international border with Canada, shall have the same authority and powers granted to forest rangers and officials of the division of forests and lands pursuant to RSA 227-G:7 and RSA 227-G:8.***

481 Adjustment of Salaries of State Employees; New Hampshire State Troopers. Amend RSA 99:10-a to read as follows:

99:10-a New Hampshire State Troopers. Classified New Hampshire state troopers of the division of state police shall be paid in addition to their regular salary, a differential pay in the amount [~~of $25 per week unless otherwise~~] collectively bargained. ***Unrepresented state troopers shall receive differential pay authorized by the most closely aligned bargaining unit.***

482 Appropriation; Department of Safety; Protective Glass Installation. The sum of $100,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

483 Effective Date. Section 482 of this act shall take effect June 30, 2023.

484 New Subparagraph; Department of Justice; Consumer Protection and Antitrust Bureau. Amend RSA 21-M:9, II by inserting after subparagraph (u) the following new subparagraph:

(v) Investigating and enforcing privacy and security of personal information and data privacy rights.

485 The Attorney General; Disposition of Consumer Protection Settlement Funds. Amend RSA 7:6-f to read as follows:

7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim, suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be deposited in a consumer protection escrow account. The consumer protection escrow account shall at no time exceed [~~$5~~] ***$6*** million, with any amount in excess of [~~$5~~] ***$6*** million deposited into the general fund, except as otherwise provided in RSA 126-A:83. The attorney general shall not include language in any consumer protection settlement that restricts any payments to the state for

attorneys' fees, investigation and litigation costs, consumer education, or consumer protection enforcement to the consumer protection escrow account or any other account or fund.

486 Effective Date. Section 485 of this act shall take effect July 1, 2024.

487 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, I(g) to read as follows:

(g) "[~~Investigator~~] ***Fact facilitator***" means one or more individuals assigned by the administrator to independently investigate a claim.

488 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, VIII (c)-(f) to read as follows:

(c) Once a claim is considered complete, the AG designee shall have 30 days to indicate to the claimant and the administrator its position regarding the claim. The AG designee may agree or disagree with the claim in whole or in part, and shall indicate whether he or she believes the claim should be referred to [~~an investigator~~] ***a fact facilitator***. The administrator may grant the AG designee an extension of time to indicate its position for good cause shown.

(d) Following receipt of the AG designee's position, the administrator may refer a claim to [~~an investigator~~] ***a fact facilitator*** if, in the administrator's independent judgment, an investigation is needed. The administrator shall direct the investigator as to any particular aspects of the claimant's claim for which the administrator seeks further information or verification, and in such case, the investigation shall be limited to that scope. If the administrator elects not to refer a claim to [~~an investigator~~] ***a fact facilitator***, then the administrator shall so notify the AG designee and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG designee's position, to request the administrator decide the claim, or to withdraw his or her claim from further processing. Within 30 days of receiving the position of the AG designee, the claimant shall indicate to the administrator and the AG designee whether he or she agrees with the AG designee's position, whether he or she wishes for the administrator to decide the claim, or whether he or she wishes to withdraw his or her claim from further processing. In the absence of an indication from the claimant, the administrator may assume that the claimant is in agreement with the position of the AG designee.

(e) The purpose of an investigation shall be to verify a claim, as submitted, if possible. The investigation shall, to the greatest extent possible, be conducted in a trauma-informed, respectful, and dignified manner. The investigation may include an interview of the claimant, which may be conducted under oath and recorded. The [~~investigator~~] ***fact facilitator*** may also request to review additional records related to the claim. The claimant shall be entitled to the assistance of an advocate in connection with the investigation process who shall be allowed to accompany the claimant during any interview. The claimant shall execute such documents or authorizations as may be necessary to permit the [~~investigator~~] ***fact facilitator*** to access records. If the claimant is represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A

claim may be denied if a claimant refuses to cooperate with the investigation. Except in extraordinary circumstances, investigations should be completed within 90 days of referral.

(f) The [~~investigator~~] ***fact facilitator*** shall present a report to the administrator of his or her findings, which shall include a summary of any interviews conducted or records gathered, a copy of any such supporting documentation, records and recordings. The administrator shall provide a copy of the [~~investigator's~~] ***fact facilitator's*** report and supporting documentation to the claimant and the AG designee once received.

489 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, IX(a) to read as follows:

IX.(a) When a claimant requests that the administrator decide the claim, the administrator shall schedule the claim for a resolution proceeding according to the procedures approved by the joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire, although parties and witnesses may attend by telephone or video conference in the discretion of the administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order that they are received and determined to be complete, except that the administrator may also give consideration to the time for which litigation may have been pending prior to the filing of a claim. [~~By requesting a resolution proceeding,~~] ***When a claimant accepts the administrator's decision on the claim,*** a claimant fully waives his or her right to seek other or additional monetary relief in any forum from the state of New Hampshire or any of its agents or employees, or from any of its political subdivisions or their agents or employees arising out of or relating to any incidents which are or could have been the subject of a claim, except that the claimant does not waive his or her right to seek or continue to seek relief in any forum from an individual whose direct, personal actions constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers, releases, or other documents as a condition of scheduling a resolution proceeding, provided that such documents expressly preserve the right to pursue claims against individual perpetrators as described.

490 New Sections; Health Care Consumer Protection Trust Fund and Advisory Commission. Amend RSA 7 by inserting after section 6-f the following new sections:

7:6-g Health Care Consumer Protection Trust Fund Established.

I. In this section:

(a) "Acquisition transaction" or "acquisition" means transfer of control, direct or indirect, of a health care organization, or of 25 percent or more of the assets thereof, including, but not limited to, purchases, mergers, leases, gifts, consolidations, exchanges, joint ventures, or other transactions involving transfer of control or of 25 percent or more of assets. However, changes in membership of the governing body of a health care organization occurring through regular election or filling of

vacancies in accordance with the bylaws thereof do not of themselves constitute acquisition transactions within the meaning of this section.

(b) "Health care organization" means an entity organized to provide health care services including, but not limited to, hospitals, community health services, and medical-surgical or other diagnostic or therapeutic facilities or services, or an entity operating as a health insurer or health maintenance organization.

II. There is hereby established in the state treasury, the health care consumer protection trust fund that shall be kept separate and distinct from all other funds. All proceeds received by the state from any settlement, judgment, or other resolution related to any acquisition or acquisition transaction shall be deposited into the trust fund, provided that any proceeds obtained to reimburse the department of justice pursuant to RSA 356:4-b, or RSA 358-A:6, IV for all costs related to the review, investigation, or litigation of any acquisition or acquisition transaction may be deposited in appropriate funds as designated by the attorney general. The fund may also receive moneys through private contributions or appropriations from the general court. Any amount received in connection with an acquisition or acquisition transaction that would have been deposited into the general fund under RSA 7:6-e or RSA 7:6-f shall be deposited into the trust fund. All moneys in the trust fund shall be nonlapsing and continually appropriated to the department of justice. Any earnings on trust fund moneys shall be added to the trust fund.

III. The attorney general shall administer the health care consumer protection trust fund and may only expend funds in the trust fund upon approval by the health care consumer protection advisory commission established in RSA 7:6-h and the governor and council.

IV. Funds from the health care consumer protection trust fund shall be expended solely for the purpose of benefiting health care consumers in the state and in accordance with any relevant terms of the settlement, judgment, or other resolution by which the funds were received. Expenditures from the trust fund may include, but are not limited to, expenditures by the department of justice, grants to state agencies, grants to municipalities, or grants to non-governmental recipients.

V. The attorney general may, if necessary, negotiate terms in a settlement, judgment, or other resolution that specify a particular use or reasonable restrictions for funds deposited into the health consumer protection trust fund, provided that any specified use must be one that benefits health care consumers in the state.

7:6-h Health Care Consumer Protection Advisory Commission Established.

I. There is hereby established the health care consumer protection advisory commission, which shall consult with and advise the attorney general relative to the proper administration and management of the health care consumer protection trust fund, as established in RSA 7:6-g, and shall approve all expenditures from that trust fund.

II. The commission shall consist of the following members:

(a) The attorney general, or designee.

(b) The commissioner of the department of health and human services, or designee.

(c) The commissioner of the department of insurance, or designee.

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

(e) One member of the senate, appointed by the president of the senate.

(f) Two public members with experience in the health care industry, appointed by the governor.

III. Each member of the advisory commission shall have one vote, with all actions being taken by an affirmative vote of the majority of present members. Four members shall constitute a quorum. The advisory commission shall elect a chair and vice-chair from among its members. Public members of the advisory commission shall serve 2- year terms.

IV. Members of the advisory commission shall receive no compensation except for legislative members who shall receive the legislative rate for mileage when attending to their duties on the commission.

V. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A and take place as necessary to ensure efficient and responsible expenditure of funds.

VI. The department of justice shall provide administrative support to the advisory commission.

491 Appropriation; Department of Justice. The sum of $500,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of justice for the purpose of supporting functions identified by the assessment to combat human trafficking in the state, including but not limited to investigation, prosecution, and victim services. Funds may be utilized for grants made to state agencies, municipalities, or non-governmental recipients. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

492 Appropriation. Department of Justice; New Hampshire Child Advocacy Centers. There is hereby appropriated to the department of justice the sum of $3,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025 and shall be for the purpose of funding the New Hampshire child advocacy centers. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

493 Effective Date. Section 492 of this act shall take effect June 30, 2023.

494 New Hampshire Internet Crimes Against Children Task Force; Appropriation. The sum of $800,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire internet crimes against children fund established in RSA 21-M:17 for the purpose of hiring a cybertip manager, increasing hours dedicated to the task force's mission for the investigators who are also employed by affiliate agencies, adding an investigator to cover Grafton and Coos counties, and adding an investigator to cover Cheshire and

Sullivan counties, including equipment necessary to outfit some of the added affiliate agencies with computer and software equipment so they may contribute to NHICAC's overall mission. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

495 Effective Date. Section 494 of this act shall take effect June 30, 2023.

496 Appropriation; Police Standards and Training. The sum of $350,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the police standards and training council for the purpose of funding a court security officer training program and related part-time positions. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

497 Effective Date. Section 496 of this act shall take effect June 30, 2023.

498 Appropriation; Judicial Council; Public Defender Program. The sum of $5,600,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for the public defender program. The sum of $1,200,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for contract counsel. Said sums shall not lapse until June 30, 2025. The judicial council shall report the amounts allocated pursuant to this section to the fiscal committee of the general court within 30 days of said allocation. The report shall include an explanation of the reasons for the need for additional funds in each fiscal year and the sums expended for these purposes during the previous 2 biennia.

499 Effective Date. Section 498 of this act shall take effect June 30, 2023.

500 Criminal Procedure in Superior Court; Drug Courts or Alternative Drug Offender Programs. Amend RSA 592-B:9, I(c) to read as follows:

(c) The cost of the drug court or alternative drug offender program shall not exceed [~~$490,000~~] ***$612,500*** per judicial district in a large county, [~~$300,000~~] ***$375,000*** in a medium county, and [~~$200,000~~] ***$250,000*** in a small county, based on the number of court filings in each judicial district and subject to annual review by the chief justice of the superior court.

501 OHRVs; Online Payment of Fees. Amend RSA 215-A:45 to read as follows:

215-A:45 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

502 Snowmobiles; Online Payment of Fees. Amend RSA 215-C:59 to read as follows:

215-C:59 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

503 Appropriation; Fish and Game Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the fish and game fund. This appropriation shall not lapse. The

governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

504 Effective Date. Section 503 of this act shall take effect June 30, 2023.

505 Department of Natural and Cultural Resources; Division of Parks and Recreation; Bureau of Trails; Grant-in-Aid. For the biennium ending June 30, 2025, and notwithstanding any provision of law or administrative rule to the contrary, the limitations on percentages of grant-in-aid administered by the department of natural and cultural resources, division of parks and recreation, bureau of trails, for the development and maintenance of OHRV trails on private, municipal, state, or federal lands shall be as follows:

I. For the grant period of June 1, 2023 to May 31, 2024:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

II. For the grant period of June 1, 2024 to June 30, 2025:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

506 Appropriation; Department of Natural and Cultural Resources; Hampton Beach State Park.

I. The sum of $150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of natural and cultural resources to conduct a feasibility study relative to improving accessibility for people with disabilities to Hampton Beach State Park while factoring in the wildlife and environmental impact. Said funds shall be continually appropriated to the department and shall not lapse until June 30, 2025.

II. The feasibility study shall include recommended locations and specified options for improving accessibility, including, but not limited to, the construction of an accessible walking pier. The study shall also include wildlife and environmental impacts for the recommended locations. The department of natural and cultural resources shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

507 Effective Date. Section 506 of this act shall take effect June 30, 2023.

508 Appropriation; Department of Natural and Cultural Resources. There is hereby appropriated to the department of natural and cultural resources the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of making renovations and repairs to the Northwood Meadows Lake Dam. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

509 Effective Date. Section 508 of this act shall take effect June 30, 2023.

510 Appropriation; Cannon Mountain Tramway. The sum of $18,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, is hereby appropriated to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

511 Effective Date. Section 510 of this act shall take effect June 30, 2023.

512 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of $15,000,000 for the fiscal year ending June 30, 2026, and the sum of $15,000,000 for the fiscal year ending June 30, 2027, which shall be nonlapsing, for the purpose of making payments to communities for projects that have previously been awarded state aid grant funding for eligible and completed wastewater infrastructure projects per RSA 486 as approved by the governor and executive council. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

513 Effective Date. Section 512 of this act shall take effect July 1, 2025.

514 Department of Environmental Services; Appropriation. The sum of $9,700,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for the purpose of funding a new drinking water transmission main between the existing Nashua Core water distribution system and the existing Litchfield water distribution system, including all ancillary projects needed, including, but not limited to booster pumping stations, directional drilling under the Merrimack River, and all associated design and construction permits. This sum shall be nonlapsing. No public utility ratepayer shall be adversely affected by any direct or indirect costs to bring drinking water to any community through any project funded by this appropriation. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

515 Effective Date. Section 514 of this act shall take effect June 30, 2023.

516 Pollution Prevention Coordinator. Amend RSA 21-O:16 to read as follows:

21-O:16 Pollution Prevention Coordinator. There is established in the [~~office of the commissioner,~~] department of environmental services[~~,~~] the position of state pollution prevention coordinator. The coordinator shall be a classified employee qualified by reason of education and experience. It is the intent of the legislature that coordination of pollution prevention efforts shall complement and reinforce existing state, federal, local, and private pollution prevention efforts.

517 Appropriation; Support of Regional Fisheries Alongside Offshore Wind Energy Development. The sum of $10,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for New Hampshire's portion of an effort being led by 11 Atlantic Coast states to sustain a vibrant fishing community that can coexist and thrive alongside

offshore wind energy development; the group's efforts are being organized by the Consensus Building Institute and are focused on the establishment of a regional fisheries compensation fund administrator which is a vital component to being able to financially compensate any commercial fisheries negatively impacted by the deployment of offshore wind in the Gulf of Maine or any other body of water. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

518 Appropriation; Business Network for Offshore Wind Membership. The sum of $30,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of energy for the purpose of funding New Hampshire membership fees for calendar years 2023, 2024, and 2025 in the Business Network for Offshore Wind. By joining the network, New Hampshire state agencies working on the potential of offshore wind in the Gulf of Maine will have access to the international offshore wind industry and the other states and regional organizations in the United States exploring offshore wind to ensure New Hampshire has the ability and knowledge on how to pursue any opportunities for New Hampshire that will result from offshore wind in the Gulf of Maine. Membership will also provide New Hampshire with a new registry tool to identify the New Hampshire companies interested in offshore wind economic activities, access to the registries of other states, and access to the association's database of international supply chain data and international offshore wind economic activities data. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

519 Effective Date. Sections 517 and 518 of this act shall take effect June 30, 2023.

520 Department of Transportation; Municipal Bridges; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended for municipal bridges by municipalities with existing bridges in the fiscal year ending June 30, 2024. One half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's total bridge deck area per department inventory, as of January 1, 2023. The other half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's share of total state population based on the office of planning and development's population estimate with each municipal population in proportion to the total population of the state as of July 1, 2022. The funds to be distributed under this section shall be in addition to all other state and federal aid specifically authorized by statute. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for bridge maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

521 Department of Transportation; "Apportionment A" Distributions; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended as additional "Apportionment A" distributions under RSA 235:23, I, in the fiscal year ending June 30, 2024. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for road maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

522 Effective Date. Sections 520 and 521 of this act shall take effect June 30, 2023.

523 Appropriation; Department of Transportation; Rural and Urban Transit Agencies. There is hereby appropriated the sum of $1,883,289 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of transportation for the purpose of providing a state operating match for rural and urban transit agencies to access additional available federal funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

524 Effective Date. Section 523 of this act shall take effect June 30, 2023.

525 Appropriation; Vehicle and Equipment Replacements. The sum of $4,786,036 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of transportation for the purpose of vehicle and equipment replacements, including any associated outfitting costs. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

526 Effective Date. Section 525 of this act shall take effect June 30, 2023.

527 Department of Transportation; Appropriation; Eastern Slopes Regional Airport. The sum of $100,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of transportation, aeronautics division for the purpose of providing local matching funds for Federal Aviation Administration grants to support the Eastern Slopes Regional Airport, located in Fryeburg, Maine and serving Conway, New Hampshire. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

528 Effective Date. Section 527 of this act shall take effect June 30, 2023.

529 E-Z Pass Collection and Enforcement; Unpaid Tolls. Amend RSA 237:16-c, V to read as follows:

V. For effective toll collection enforcement, the department of transportation and the department of safety may accept a request from another state to [~~deny~~] ***suspend*** registration [~~renewal~~] privileges for a vehicle registration plate in accordance with RSA 263:56-f for unpaid tolls

incurred in the other state, provided that the other state represents that the request is in keeping with criteria for [~~denial~~] ***suspension*** of registration [~~renewal~~] privileges as set forth in the states' respective reciprocal toll collection enforcement agreement. Any costs incurred for the implementation of software to effectuate reciprocal toll collection enforcement agreements shall be reimbursed from the turnpike fund.

530 Public Awareness Campaign on Brain Health, Alzheimer's Disease, and Related Dementias. The department of health and human services, in partnership with the state commission on aging established in RSA 19-P:1, the health and human services oversight subcommittee on Alzheimer's and other related dementia established in RSA 126-A:15-a, the New Hampshire Medical Society, and the Alzheimer's Association, shall develop a public awareness campaign on brain health, Alzheimer's disease and related dementias, and incorporate the campaign into its existing, relevant public health outreach programs on an ongoing basis. In conjunction with the appropriate training entities, the public awareness campaign shall make informational materials available to:

I. Educate the health care community and the general public on the importance of early detection and timely diagnosis of cognitive impairment, clinically accepted and recognized cognitive assessment tools, and the value of a Medicare Annual Wellness visit for cognitive health; and

II. Increase public understanding and awareness of early warning signs of Alzheimer's disease and other types of dementia, the value of early detection and diagnosis, and how to reduce the risk of cognitive decline, particularly among persons in diverse communities who are at greater risk of developing Alzheimer's disease and other types of dementia; and

III. Inform the health care community and the general public of resources and services available to individuals living with dementia and their families and caregivers, in partnership with the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the New Hampshire Medical Society, and the Alzheimer's Association.

531 Appropriation; Department of Health and Human Services; Public Awareness Campaign on Brain Health, Alzheimer's Disease and Related Dementias.

I. The sum of $500,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purposes of hiring a contractor, through a competitive bidding process, to develop and implement a public awareness campaign on brain health, Alzheimer's disease and related dementias. This appropriation shall not lapse until June 30,2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department shall issue a request for proposals (RFP) on or before January 1, 2024, for the purposes of this section. The RFP shall provide for detailed outcome and performance measurements as well as a comprehensive evaluation and review of the overall effectiveness of the campaign and continuous monitoring on whether key goals for educational outreach have been achieved at benchmark periods during the campaign.

III. Furthermore, nothing in the campaign shall be construed or interpreted to expand the current continuing medical education requirements as set forth in RSA 329:16-g or to endorse a particular medical or therapeutic treatment or a specific pharmaceutical product or treatment.

532 Reporting Requirement; Public Awareness Campaign. On or before October 1, 2023, the department of health and human services shall submit a draft plan for review to the joint legislative oversight committee on health and human services established in RSA 126-A:13 prior to implementation of the public awareness campaign. Thereafter, beginning on January 1, 2024, the department shall provide quarterly progress reports to the oversight committee on the implementation of the campaign. At the conclusion of the public awareness campaign, the department shall submit a final report to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the state library, the oversight committee, the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the senate committee on health and human services, the house committee on health, human services and elderly affairs, and the senate and house finance committees outlining the impact of the campaign and any related findings or recommendations for legislation on or before November 1, 2024.

533 Effective Date. Section 531 of this act shall take effect June 30, 2023.

534 Department of Health and Human Services. Appropriation; Child Care Programs.

I. The sum of $15,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of financing recruitment and retention bonus and benefit grants for New Hampshire child care employers. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. Eligible child care programs shall be programs operating in New Hampshire with an active child care license or that are license-exempt and enrolled in the department of health and human services child care scholarship program. These programs shall include those who serve children from birth through age 12 and are also referred to as center-based, family-based, early childhood education, early learning, outside of school time, before and after school, and summer camp programs, as well as non-profit and privately-owned center-based and family-based child care programs.

III. The department shall develop and implement a grant application process for eligible programs, and may consider additional grant amounts for child care programs enrolled in or in preparation to enroll in the granite steps for quality in recognition of their extra effort and commitment to continuous quality improvement. Grant amounts shall be determined by the department after all applications have been received and approved.

IV. Grants received by the programs may be used in the following ways:

(a) Deposit into an eligible, tax-advantaged Health Savings Account or Flexible Spending Account;

(b) Mentor credentialing and support networks for mentors;

(c) Sign-on and/or retention incentives and/or wage increases;

(d) Professional costs such as training hours, CPR, or memberships in professional organizations;

(e) Child care tuition assistance;

(f) Credit towards the employee's share of the cost of their health insurance plan;

(g) Paid time off equivalent;

(h) Child care tuition discount;

(i) Student loan repayment;

(j) Telemedicine coverage; or

(k) Payment towards a physical, first-aid certification, CPR certification, background check, or other credential required for the child care position.

V. If grant application requests exceed available funding, preference shall be given to eligible child care programs which are:

(a) Enrolled in New Hampshire's child care scholarship program; and

(b) Connected to the work of their related early childhood regional network, as determined by the department.

VI. The department of health and human services shall incorporate in its biennial appropriation request pursuant to RSA 9:4 an amount necessary to fully fund the child care workforce programs contained in this section.

535 Effective Date. Section 534 of this act shall take effect June 30, 2023.

536 Child Care Scholarship Program. For the biennium ending June 30, 2025, the department of health and human services shall modify the child care scholarship program by removing the parent cost-share for any eligible family at or below 100 percent of the federal poverty level and assigning a $5 per week cost share for families greater than 100 percent and at or below 138 percent. If at any time the commissioner determines that funding is insufficient to satisfy the requirements of this section, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

537 Appropriation; Department of Health and Human Services; Integrated Eligibility System. There is hereby appropriated the sum of $167,700 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of funding an audit of the integrated eligibility system. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is

authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

538 Effective Date. Section 537 of this act shall take effect June 30, 2023.

539 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $300,000 for the fiscal year ending June 30, 2024, and the sum of $300,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile diversion providers who provide diversion services pursuant to RSA 169-B:10. Any unexpended funds remaining from the appropriations made in 2019, 346:371 and 2021, 91:421 shall not lapse and may be used for the purposes of this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

540 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $600,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile diversion providers who provide diversion services pursuant to RSA 169-B:10. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

541 Effective Date. Section 540 of this act shall take effect June 30, 2023.

542 Appropriation; Vaccine Administration. The sum of $20,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of health and human services for the purpose of providing funding to public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under the federal Section 317 Immunization Program. The governor is authorized to draw a warrant out of funds not otherwise appropriated.

543 Effective Date. Section 542 of this act shall take effect June 30, 2023.

544 Department of Health and Human Services; Rural Health and Primary Care; Report. On or before July 1, 2024, the department of health and human services shall submit a report with its findings and legislative recommendations to the chair of the senate health and human services committee, the chair of the house health, human services and elderly affairs committee, and the governor relative to implementing area health education centers and advanced training programs for rural health and primary care personnel including, but not be limited to, a rural residency program for family medicine physicians.

545 Appropriation; Department of Health and Human Services; Transitional Housing Beds. Amend 2021, 91:408 to read as follows:

91:408 Appropriation; Department of Health and Human Services; Transitional Housing Beds. There is hereby appropriated to the department of health and human services the sum of $6,000,000 for the fiscal year ending June 30, 2021, which shall be nonlapsing until [~~June 30, 2023~~] ***June 30,***

2025, for the purposes of increasing rates paid for transitional housing beds and for funding new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital, ***addressing emergency room boarding efforts, ensuring compliance with the community mental health agreement, and supporting behavioral health crisis response initiatives.*** In addition, any unspent funds from the appropriation made under 2019, 346:221 may be used for the purposes of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

546 Effective Date. Section 545 of this act shall take effect June 30, 2023.

547 Department of Health and Human Services; Developmental Services; Pilot Program. Amend 2022, 272:9, V to read as follows:

V. [~~On or before February 1, 2023,~~] The department shall ***semi-annually*** provide a detailed report of the pilot program plan to the senate health and human services committee, the senate finance committee, the house children and family law committee, the house health, human services and elderly affairs committee, the house finance committee, the oversight committee on health and human services established in RSA 126-A:13, and the fiscal committee of the general court. The report shall include data on utilization, including the number of individuals seeking services in accordance with paragraph I, the number of individuals provided services as part of the pilot program, the types of specific services provided for each individual, the total cost of the services provided, ***the number of individuals who applied for funds each 6-month period, the number of applications approved, the number of applications denied and the reasons for denial,*** and other relevant information necessary to assess the pilot program for statewide expansion as part of the state budget for the biennium ending June 30, 2025.

548 Appropriation; Developmental Services; Pilot Program. Amend 2022, 272:9 VII to read as follows:

VII. There is hereby appropriated to the department of health and human services the sum of $2,800,000, for the fiscal year ending June 30, 2023, for the purpose of implementing the pilot program plan or the pilot itself, for developmental services established in this section. ***This appropriation shall not lapse until June 30, 2025.*** Additionally, the department may accept and expend any applicable federal funds, and any gifts, grants, or donations that may be available for the purposes of the pilot program. In the event of any remaining funds not otherwise expended after reaching the cap of serving 20 eligible individuals under the pilot program, the department may allocate funding and provide services to additional eligible individuals. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

549 Effective Date. Sections 547 and 548 of this act shall take effect June 30, 2023.

550 Appropriation; Department of Health and Human Services; Family Mutual Support Services. The sum of $50,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services, account 05-95-092-922010-4119, class 102, for the purpose of helping family mutual support providers keep pace with the cost of service provision. This sum shall be in addition to any other amounts appropriated and shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

551 Effective Date. Section 550 of this act shall take effect June 30, 2023.

552 Appropriation; Department of Health and Human Services; Home Visiting Program. The sum of $450,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program. Said amount shall be in addition to any other amounts appropriated for this purpose, and shall not lapse until June 30, 2025. The department is authorized to accept and expand any matching federal funds available for the purposes of this section without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

553 Effective Date. Section 552 of this act shall take effect June 30, 2023.

554 Appropriation Amended; 2019; Hospital Care Coordination. Amend 2019, 346:222 to read as follows:

346:222 Appropriation; Department of Health and Human Services; [~~Patients Residing in Hospital Emergency Rooms~~] ***Hospital Care Coordination; Positions Established.***

I. There is hereby appropriated to the department of health and human services the sum of $750,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, and shall be expended for the purpose of [~~providing due process for involuntary emergency admissions patients currently residing in emergency rooms in hospitals; provided that no hospital shall receive more than $100,000. The appropriation made in this section shall only cover the portion of costs not reimbursable by insurance carriers. The commissioner of the department of health and human services shall establish the application process for such funds~~] ***supporting a statewide care coordination function for the purpose of eliminating hospital emergency department psychiatric boarding during the biennium ending June 30, 2025.*** The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. [~~If the expenditure is greater than the appropriation contained in this section, the commissioner of the department of health and human services may request and receive additional funding, with the prior approval of the fiscal committee of the general court and governor and council. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.~~] ***For the purposes in paragraph I, there are established***

the following positions within the department: one senior psychiatric social worker, one business systems analyst II, and 2 registered nurse III positions.

555 Appropriation; Department of Health and Human Services; Juvenile Peer-to-Peer Grief Support. There is hereby appropriated the sum of $500,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, to the department of health and human services for the purpose of funding juvenile peer-to-peer grief support programming. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

556 Effective Date. Section 555 of this act shall take effect June 30, 2023.

557 Appropriation; Department of Health and Human Services; Reimbursement For Licensed Nursing Assistants. There is hereby appropriated to the department of health and human services, account 05-95-048-482010-2154, class 509, the sum of $400,000, for the fiscal year ending June 30, 2023, for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continued education. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

558 Effective Date. Section 557 of this act shall take effect June 30, 2023.

559 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services, the sum of $2,054,360 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of Granite United Way administering the Recovery Friendly Workplace Initiative, which promotes individual wellness for Granite Staters by empowering workplaces to provide support for people recovering from substance use disorder. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

560 Effective Date. Section 559 of this act shall take effect June 30, 2023.

561 New Section; WIC Farmers' Market Nutrition Program. Amend RSA 132 by inserting after section 12-e the following new section:

132:12-f WIC Farmers' Market Nutrition Program. There is established in the department of health and human services the New Hampshire Farmers' Market Nutrition Program for participants in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). The program shall distribute food instruments to eligible WIC participants to redeem for locally grown fresh fruits, vegetables and herbs at authorized New Hampshire farmers' markets in compliance with 7 C.F.R. 248 that are redeemable only at designated New Hampshire farmers' markets. The commissioner shall adopt rules under RSA 541-A to implement this program.

562 Appropriation; WIC Farmers' Market Nutrition Program. There is hereby appropriated to the department of health and human services the sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of funding the WIC Farmers' Market

Nutrition Program in RSA 132:12-f. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

563 Effective Date. Section 562 of this act shall take effect June 30, 2023.

564 Department of Health and Human Services; Homeless and Housing Shelter Programs; Appropriations.

I. The sum of $8,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of increasing rates paid to shelter programs. Said sums shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of assisting with homeless shelters, partial funding of a cold weather shelter, hotel stays, and other alternatives to provide shelter expenses. Said sum shall not lapse until June 30, 2025. No later than October 1 of each year of the biennium, the department shall distribute $1,000,000 to one provider in each county based on 50 percent to be distributed evenly across each county and 50 percent based on the most recent preliminary point-in-time count of those experiencing homelessness in the county. The funds shall be used to make payments to homeless shelters, partial funding of a cold weather shelter, hotel stays, and other alternatives to provide shelter. Each solution shall include coordination of referrals to related services and transportation to and from said shelter. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

565 Effective Date. Section 564 of this act shall take effect June 30, 2023

566 Residential Care and Health Facility Licensing; Exception Added. Amend RSA 151:2, VI(a) to read as follows:

VI.(a)***(1)*** No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues or to any continuing care facility for which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.

(2) Provided however, effective July 1, 2023, any pediatric intermediate care facility, established before the effective date of this subparagraph is authorized to house one additional pediatric resident beyond its licensed capacity prior to that date, with this authorization to expire June 30, 2024.

567 Statement of Findings. The general court hereby finds that:

I. The state of New Hampshire is ranked as having one of the fastest growing number of older adults in the country.

II. As the number of older adults increases, the need for long-term care will increase.

III. Pursuant to the federal Older Americans Act, New Hampshire is required to promote the development and implementation of comprehensive, coordinated, statewide system of long-term services and supports that is responsive to the needs and preferences of older individuals and their family caregivers.

IV. The federal Americans with Disabilities Act prohibits unnecessary institutionalization of individuals with disabilities.

V. RSA 151-E was established to provide Medicaid eligible elderly and chronically ill adults with a continuum of long-term care options.

VI. Despite these federal and state mandates, historically there has been a lack of investment in our state's system and programs for older adults and adults with disabilities.

VII. Rebalancing New Hampshire's systems to expand more home and community-based options will reduce the cost of providing services and allow our state to serve more people.

568 New Subdivision; Long-Term Care; System of Care for Healthy Aging. Amend RSA 151-E by inserting after section 21 the following new subdivision:

System of Care for Healthy Aging

151-E:22 Purposes. The purposes of this subdivision are to:

I. Build upon existing infrastructure to establish a comprehensive and coordinated system of care to ensure that older adults and adults with disabilities have access to and timely delivery of supports and services and to ensure that they have a meaningful range of options.

II. Reduce the cost of providing long-term care by expanding the availability of less costly home and community-based services.

III. Require the department of health and human services to expand and improve access to home and community-based services for older adults and adults with disabilities in alignment with New Hampshire's state plan on aging, the federal Older Americans Act, Americans with Disabilities Act, and Medicaid law.

IV. The system of care referenced in this subdivision is meant to streamline access to long-term care supports and services and not intended to expand eligibility for any current Medicaid programs, including long-term care Medicaid or any home and community-based Medicaid waiver programs.

151-E:23 Statement of Policy. It is the policy of New Hampshire to establish and implement a comprehensive and coordinated system of care that promotes healthy aging and enables older adults and adults with disabilities to have a meaningful choice in care options, including the ability to receive the care they need in their homes and communities.

151-E:24 Definitions. In this subdivision:

I. "Disability" means a physical or mental impairment that substantially limits one or more major life activities.

II. "Home and community-based services" means a range of medical and supportive services provided to persons in their own homes or other community-based settings including, but not limited to, adult day programs, and assisted living.

III. "Long-term services and supports" means a variety of services provided in both facilities and community-based settings designed to meet a person's health or personal care needs to help them live as independently and safely as possible when they can no longer perform everyday activities on their own.

IV. "Older adult" means an individual who is 60 years of age or older.

V. "System of care" means:

(a) A comprehensive and coordinated delivery system for the provision of long-term services and supports to New Hampshire's older adults and adults with disabilities.

(b) The system of care is intended to provide services to all older adults and adults with disabilities who require long-term services and supports.

(c) The system of care shall have the following characteristics:

(1) A comprehensive array of long-term services and supports including, but not limited to, personal care, homemaker services, transportation, meal delivery or preparation, emergency response systems, adult day care, and family caregiver support to enable older adults and adults with disabilities to remain independent and in the setting of their choice.

(2) An absence of significant gaps in services and barriers to services.

(3) Sufficient administrative capacity to ensure quality service delivery.

(4) . Services that are consumer-driven, community-based, and culturally and linguistically competent.

(5) Transparent, with information made available and known to consumers, providers, and payers.

(6) A funding system that supports a full range of service options.

(7) A performance measurement system for accountability, monitoring and reporting of system quality, access and cost.

151-E:25 Duties of Commissioner of the Department of Health and Human Services. The commissioner of the department of health and human services shall:

I. Modify the policies and practices of the department of health and human services necessary to implement this subdivision, to the extent possible within existing statutory and budget constraints.

II. Coordinate the plans and activities of the commissioner with the bureau of elderly and adult services, the bureau of family assistance and division of long-term supports and services to implement the system of care and reduce duplication of efforts across divisions and bureaus within the department.

III. Develop a plan for full establishment and maintenance of a system of care. Such plan shall be reviewed annually and amended or modified as needed. It shall include sufficient detail to allow compliance with the reporting requirements of RSA 151-E:27 as applicable and shall address at least the following elements:

(a) System capacity, including workforce sufficiency.

(b) Federal funding participation, including but not limited to, Medicaid waivers and plan amendments.

(c) Changes to statutes, administrative rules, and structure of appropriations, and department policy, practice and structure.

(d) Projections of cost savings from increased service effectiveness and reductions in costly forms of care and use of such savings to close existing gaps in long term care services.

(e) Recommended modifications to law, practice, and policy to prepare for and accommodate the participation of privately funded service providers in the system of care.

(f) Changes to rates for the Choices for Independence program in accordance with section 1902(a)(30)(A) of the Social Security Act and requirements for Medicaid home and community-based waiver programs under section 1915(c).

IV. Beginning no later than January 1, 2025, begin adjusting rates for the Choices for Independence waiver consistent with the rate study, assuming funds are available. Any unspent funds allocated to the Choices for Independence program shall be non-lapsing and shall be used for service provision for the Choices for Independence program.

V. On or before September 30, 2024, submit a waiver request to the Centers for Medicare and Medicaid services or implement an alternative method to establish a robust presumptive eligibility process for Medicaid home and community-based waiver services, including a mechanism for third party participation.

VI. Improve functionality of the NH EASY system for individuals applying for services and provide additional trainings for professionals who frequently assist people applying for services and develop associated performance metrics.

VII. Ensure applications for Medicaid long-term services are user friendly and processed in a timely manner and develop performance metrics to measure these attributes.

VIII. On or before June 30, 2025, maintain an online portal for providers, case managers, navigators and other long-term care service providers to enable them to easily identify and access available long-term care services and supports for older adults and adults with disabilities. The portal functions required by this section may be assigned to an entity that has responsibilities in addition to those required by this section. The portal shall contain the following information:

(a) A current list of home and community-based care waiver service providers accepting new clients, including links to websites and contact telephone numbers, organized by region that is updated on a weekly basis.

(b) Non-Medicaid resources to support the cost of home and community-based services.

(c) Referral information for legal service organizations.

(d) Guidance regarding family navigation of hospital discharge protocols and options.

IX. On or before June 30, 2025, create a public facing online dashboard to track home and community-based waiver services data, including, but not limited to, results of any performance measurement assessments, waiver services authorized but not paid, current wait times for receiving waiver services and the number of people from institutionalized care into the community.

151-E:26 Person-Centered Counseling Program. The department shall:

I. Create a new person-centered counseling program in each contracted aging and disability resource center (ADRC) to provide support and assistance to persons living at home or in short or long-term institutional settings, including hospitals, to transition into community-based settings. The program shall include referrals and support to access, at a minimum, but not limited to: assistance with completing Medicaid applications, discharge planning, referrals and access to Title III-B and Title XX services and programs, referrals and access to community-based services, housing, and other supports and services to meet the needs of the individual and their family. These services shall not replace or duplicate targeted case management services described in RSA 151-E:17.

II. Increase operational capacity in each ADRC to enable the provision of person-centered counseling services for adults, including but not limited to, educating consumers about available community-based resources for long-term services and supports, assistance with completing Medicaid applications, and assistance with the transition to access such services.

III. Establish performance metrics for each contracted information and referral resource center to assess each office's ability to provide the services contained in this section.

151-E:27 System of Care Implementation and Reporting Requirements.

I. When preparing the biennial budget for the Choices for Independence program, the department shall prepare data showing the amount program provider rates would be increased to be in alignment with the rate plan as completed by the department.

II. The department shall review and propose rates for the Choices for Independence program in accordance with section 1902 (a)(30)(A) of the Social Security Act and requirements for Medicaid home and community based waiver programs under section 1915(c). The department shall provide a report to the house health, human services and elderly affairs committee and senate health and human services committee, the house finance committee, the senate finance committee and the joint legislative committee on health and human services established in RSA 126-A:13 on or before July 1, 2024. The focus of the rate study is to promote efficiency, economy, quality of care and access to services within New Hampshire's Choices for Independence program. The rate study shall establish reimbursement methodologies utilizing the U.S. Centers for Medicare and Medicaid Services Market Basket Index as an inflation benchmark for rate-setting purposes. The department shall seek input

from Choices For Independence beneficiaries, providers, and other stakeholders in regard to access to Choices for Independence services in future rate setting processes. Information regarding access to services shall be publicly documented and shall be considered in the subsequent rate-setting process.

III. On a biennial basis, the department shall perform a financial review to determine whether ADRC offices are receiving sufficient funding to maintain their operations and make legislative budget requests if additional funding is warranted.

IV. Beginning November 1, 2023, and annually thereafter, the department shall report to the governor, the state commission on aging established in RSA 19-P:1 and the joint legislative committee on health and human services established in RSA 126-A:13. The report shall provide detailed information regarding the status of the implementation of this subdivision.

V. Beginning in 2024, the report shall address the following:

(a) The total cost of Medicaid long-term care services and Choices for Independence program services.

(b) The extent to which the state's long-term care support and services systems are consistent with a system of care.

(c) A description of any actual or planned changes in department policy or practice or developments external to the departments that will affect implementation of a system of care.

(d) Any other available information relevant to progress toward full implementation of a system of care.

(e) The result of pilots regarding access with the counties.

(f) A review of options to enhance the system of care.

(g) Presumptive eligibility findings and recommendations for next steps.

(h) The status of changes to the NH Easy application system and any additional enhancements needed.

(i) The status of reimbursement rates and rate study.

VI. Beginning in 2025, the report shall also address the following:

(a) Identification of those actions which will be required to maximize federal and private insurance funding participation in the system of care, along with target dates for completion.

(b) Identification of changes to statutes, administrative rules, policies, practices, and managed care and provider contracts which will be necessary to fully implement the system of care.

(c) Identification of significant gaps in the array of long-term care supports and services for older adults and adults with disabilities, along with a description of plans to close those gaps.

VII. Beginning in 2026, the report shall also address the following:

(a) Projections of future demand for services in the system of care.

(b) Identification of shortfalls in workforce sufficiency affecting full implementation of the system of care and plans for addressing those shortfalls.

(c) Identification of specific plan amendments and other changes to the Medicaid system required for full implementation of the system of care and plans for making those changes.

(d) Numbers of older adults and adults with disabilities waiting services in various categories.

VIII. Beginning in 2027, the report shall also address the following:

(a) Detailed statistical information regarding older adults and adults with disabilities serviced, along with demographic characteristics, service need and provision, involvement in service systems, service funding sources, and placement or other site of service provision.

(b) Financial information, including but not limited to measures of cost-effectiveness, comparisons with other states with regard to levels of funding from federal, state, local, and private sources, and cost savings resulting from service coordination and effectiveness.

(c) An assessment of any influences external to the department of health and human services, including configuration of the private long-term care health care system, which may be affecting establishment of the system of care.

569 Appropriations; Department of Health and Human Services; System of Care for Healthy Aging.

I. For the purpose of developing a plan to establish and maintain the system of care for healthy aging as described in RSA 151-E:25, III, a sum not to exceed $50,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the plan. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

II. For the purpose of developing and implementing the online portal, dashboard, and data collection systems described in RSA 151-E:25, VIII and IX, a sum not to exceed $100,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the dashboard and data collection. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. For the purpose of enabling the department to complete the reporting requirements described in RSA 151-E:27, a sum not to exceed $150,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and

human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of reports in 2024 and 2025. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

570 Appropriation; Department of Health and Human Services; Person-Centered Counseling Program. The sum of $1,197,600 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the person-centered counseling program established in RSA 151-E:26. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend any federal funds available for the purposes of the counseling program without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

571 System of Care and Peer-Centered Counseling; Staffing; Classified Positions Established.

I. The following classified positions are established in the department of health and human services to support the person-centered counseling program established in RSA 151-E:26:

(a) Program Specialist III (Labor Grade 23, Step 5); and

(b) Program Specialist IV (Labor Grade 25, Step 5).

II. The sum of $190,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. The commissioner of health and human services, to the extent possible, shall fill available vacant classified positions as necessary to implement the system of care for healthy aging established in this act, including additional staffing to perform rate setting, streamlining of application process, creation and maintenance of public facing dashboard and online portal for providers, updating of performance measures and other required activities.

572 Personal Care Services; Definition of Personal Care Services Provider. Amend RSA 161-I:2, XII to read as follows:

XII. "Personal care services provider" means a person who:

(a) Is selected by:

(1) The eligible consumer;

(2) The eligible consumer's legal guardian;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer; and

(b) Is employed by a home health agency or other qualified agency to provide personal care services; and

(c) Is not:

(1) The eligible consumer's legally responsible relative, except as authorized pursuant to RSA 161-I:3-a;

(2) The eligible consumer's legal guardian, ***except as authorized pursuant to RSA 161-I:3-a***;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer, ***except as authorized pursuant to RSA 161-I:3-a***.

573 Personal Care Services; Authorization of Legally Responsible Relative. Amend RSA 161-I:3-a to read as follows:

161-I:3-a Authorization of Legally Responsible Relative, ***Guardian, or Person Granted Power of Attorney***. The department may authorize reimbursement to a legally responsible relative, ***a guardian, or a person granted power of attorney by the eligible consumer,*** who provides personal care to an eligible consumer with special health care needs residing at home. Such reimbursement shall occur only when the department determines that the needs of the eligible consumer, the unavailability of appropriate providers or suitable alternative care services, and cost efficiencies make utilization of a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** for the provision of such services necessary and appropriate. Reimbursement shall be limited to care that is medically necessary due to specific health needs and shall not be made for care generally expected and provided by a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer***. The department shall not authorize reimbursement to a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** until a plan and rules adopted pursuant to RSA 541-A, are reviewed and approved by the oversight committee on health and human services, established in RSA 126-A:13.

574 Long-Term Care; Information and Referral. Amend RSA 151-E:5 to read as follows:

151-E:5 Information and Referral. The department shall establish a system of community-based [~~information and referral~~] ***aging and disability*** resource centers that provide information and referral services to [~~elderly and chronically ill adults~~] ***older adults and adults with disabilities***. The [~~information and referral~~] ***aging and disability resource center*** network established under this section shall not be used for the purpose of political advocacy, but may inform

and educate the general court regarding the extent of services available as well as the unmet needs in the community.

575 New Section; Personal Care Services; Financial Eligibility for Adult Home and Community-based Care Waiver Programs. Amend RSA 167 by inserting after section 4-e by the following new section:

167:4-f Financial Eligibility.

I. Financial eligibility for Medicaid adult home and community-based waiver programs shall include the following resource limits:

(a) For married individuals, revert to the standard in place prior to the passage of the federal Affordable Care Act, so that only the resources in the name of the applicant, and not the resources in the name of the applicant's spouse are counted for purposes of determining Medicaid resource eligibility; and

(b) For single individuals, establish a resource disregard of $6,000, which would have an effective resource limit of $7,500.

II. Department of Health and Human Services; Resource Disregard Enhancement Authority; Rulemaking. Pursuant to RSA 161:4-a, the department of health and human services shall enter into rulemaking, subject to the Centers for Medicare and Medicaid Services (CMS) approval as necessary, to revert the resource standard for married persons prior to the passage of the Affordable Care Act and increase the resource disregard to a maximum of $6,000 for individuals seeking nursing facility services or home and community based care under state waivers established under section 1915(c) of the Social Security Act.

576 Department of Health and Human Services; Eligibility for Assistance. Amend RSA 167:4, I(b) to read as follows:

(b) ***To the extent permissible under federal law,*** in the case of an applicant for public assistance or medical assistance who has made an assignment or transfer of assets to an individual for less than fair market value within [~~60~~] ***36*** months, or ***for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances, or*** in the case of transfers of real estate, or transfers of assets to a trust or portions of a trust that are treated as assets disposed of by the individual within [~~60~~] ***36*** months, ***or for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances,*** immediately preceding the date of application or while the application is pending, or in the case of a recipient of public assistance or medical assistance who makes such an assignment or transfer while in receipt of the assistance, the assistance sought shall only be granted or continue to be granted in accordance with rules establishing restrictions and eligibility criteria for such cases as adopted by the commissioner of the department of health and human services under RSA 541-A, subject to applicable federal regulations and waiver approval, if any, and review by the oversight committee on health and human services, established in RSA 126-A:13. The oversight

committee on health and human services shall make a report to the legislative fiscal committee which shall have final approval authority.

577 Effective Date. Sections 569, 570, and 571 of this act shall take effect June 30, 2023.

578 Department of Health and Human Services; Study on Graduated Public Assistance Mandated; Appropriation.

I. The department of health and human services shall seek a continuation of the 2021 economic analysis regarding mitigation of the benefits cliff effect for the possible creation, funding, and implementation of graduated, proportional public assistance programs for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings, including the performance of existing pilot programs related to the benefit cliff, and any proposed legislation to the applicable committees of the general court on or before July 1, 2024.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions, such as income levels and hours worked per week. The department shall review the following programs:

(a) The supplemental nutrition assistance program, established under RSA 161:2, XIII, XIII-a, and XIII-b;

(b) The special supplemental nutrition program for women, infants, and children, established under RSA 132:12-a; and

(c) The financial assistance for needy families program, established under RSA 167.

IV. The sum of $200,000 for fiscal year ending June 30, 2023 is hereby appropriated to the department for the purpose of conducting a continued review and economic analysis of the cliff effect as set forth in this section. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

579 Housing Finance Authority; Study on Graduated Public Assistance Mandated.

I. The housing finance authority shall study the creation, funding, and implementation of a graduated, proportional rental assistance housing choice voucher program for individuals who do not qualify for existing assistance within the state.

II. The housing finance authority shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the housing finance authority shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

580 New Hampshire Employment Security; Study on Graduated Public Assistance Mandated.

I. New Hampshire employment security shall study the creation, funding, and implementation of a graduated, proportional unemployment compensation program, based upon the

program established in RSA 282-A, for individuals who do not qualify for existing assistance within the state.

II. New Hampshire employment security shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, New Hampshire employment security shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

581 Department of Energy; Study on Graduated Public Assistance Mandated.

I. The department of energy shall study the creation, funding, and implementation of a graduated, proportional low income home energy assistance program for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions such as income levels.

582 Effective Date. Section 578 of this act shall take effect June 30, 2023.

583 New Section; Study Commission Established. Amend RSA 284 by inserting after section 6-b the following new section:

284:6-c Study Commission Established.

I. There is established a commission to study the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races.

II.(a) The members of the commission shall be as follows:

(1) Two members of the senate, appointed by the president of the senate.

(2) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(3) The lottery executive director, or the executive director's designee.

(4) One representative of the facility owners.

(5) Two representatives of charitable gaming charities.

(6) The attorney general, or the attorney general's designee.

(7) One member of the public appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall examine how charities are selected and whether a uniform process should exist; whether the state should implement a limit on the number of charitable gaming locations; and whether charging rent to the charities is necessary with historic horse racing. The commission shall bring together different stakeholders to address these questions, and ensure those involved in the process have a voice in the discussion that will result in recommendations benefitting all stakeholders. The commission also shall monitor the benefits of historical horse racing to

charities to ascertain whether additional licenses for historical horse racing machines would increase or reduce revenues to charities. The commission shall examine whether host communities should share in proceeds of any charitable gaming establishment.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2024.

VI. The commission shall be administratively attached to the lottery commission.

584 Commission to Study Charitable Gaming; Appropriation. There is hereby appropriated to the lottery commission the sum of $150,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of studying charitable gaming and soliciting input from stakeholders. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

585 Effective Date. Section 584 of this act shall take effect June 30, 2023.

586 Repeal. RSA 284:6-c, relative to studying the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races, is repealed.

587 Effective Date. Section 586 of this act shall take effect July 1, 2025.

588 State College and University System; Finances; Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b to read as follows:

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship ***or Guardianship After Being in State Foster Care.***

I. An eligible individual who enrolls full-time or part-time, with the approval of the division for children, youth and families, in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state shall not be required to pay tuition or mandatory fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than [~~23~~] ***26*** years of age and who is or was:

(a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;

(b) In state guardianship or custody at the time of his or her 18th birthday;

(c) In guardianship, after being in state foster care or guardianship, at the time of their 18th birthday;

(d) In placement out-of-state, through the interstate compact for the placement of children, at the time of their 18th birthday;

[~~(c)~~] *(e)* Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender ***or termination*** of parental rights; or

[~~(d)~~] *(f)* In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 18th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms provided and within the deadlines established by the university system of New Hampshire and the community college system of New Hampshire for their respective institutions. [~~No more than 15 tuition waivers per year shall be granted by the university system of New Hampshire and no more than 15 tuition waivers per year shall be granted by the community college system of New Hampshire.~~] ***In any year, no more than 70 tuition waivers shall be granted by the university and community college systems of New Hampshire. Of these 70 tuition waivers, 35 shall be allocated to the university system and 35 shall be allocated to the community college system.*** The university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop eligibility criteria for their respective institutions designed to give the children with the greatest financial need first priority in the tuition waiver program. Such eligibility criteria shall also include provisions for continuing eligibility based on continued full-time or part-time, with the approval of the division for children, youth and families, enrollment and satisfactory academic progress as defined by the institution.

IV. An eligible individual may also apply for a room and board scholarship under the provisions of RSA 187-A:20-a, II without having to comply with the provisions of RSA 187-A:20-a, I.

589 New Subdivision; Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program. Amend RSA 188-F by inserting after section 69 the following new subdivision:

Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program

188-F:70 Program Established.

I. There is hereby established in the community college system of New Hampshire the New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program. To the extent of available funds, New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians may receive reimbursement, upon successful completion, for the cost of one course per semester, including required fees, in a degree program at an institution in the community college system as approved for that individual upon recommendation of the person's supervisor and the committee. Such courses may be in any field leading to a degree in an area of study approved by the commission.

II. Upon employment by a New Hampshire fire service, a graduate of the New Hampshire fire academy, or the entity that paid for the cost, with the recommendation of the employee's

supervisor and the approval of the committee, shall receive full reimbursement for the cost of the academy not covered by other funding sources.

188-F:71 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program Committee Established.

I. There is hereby established the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program committee. The members of the committee shall be as follows:

(a) The commissioner of the New Hampshire department of safety, or designee. The commissioner, or designee, shall serve as chairperson of the committee.

(b) The chancellor of the community college system of New Hampshire, or designee.

(c) The director of the New Hampshire police standards and training council, or designee.

(d) The director of the New Hampshire Fire Academy, or designee.

(e) The president of the New Hampshire Association of Chiefs of Police, or designee.

(f) The president of the New Hampshire Police Association, or designee.

(g) The president of the New Hampshire state police union, or designee.

(h) The president of the Professional Firefighters of New Hampshire, or designee.

(i) The president of the New Hampshire Association of Emergency Medical Technicians, or designee.

(j) The president of the New Hampshire Association of Fire Chiefs, or designee.

(k) Three educators from the community college system of New Hampshire, appointed by the chancellor of the community college system of New Hampshire.

II. The committee shall establish criteria and procedures for approval of requests for course reimbursement, allocation of available funds, and student debt payment.

III. The community college system shall determine the number of credits and the course equivalents granted for graduation from the New Hampshire police standards and training council and the New Hampshire fire academy.

IV. The committee shall report annually to the governor, president of the senate, and speaker of the house of representatives. The report shall include information regarding participation in the program, completion of courses, student debt relief, fire academy tuition reimbursement, and data and other information relative to recruitment and retention, and shall make recommendations for legislation relative to the program, and resources needed to achieve its goals.

188-F:72 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Fund Established. There is hereby established in the state treasury a fund to be known as the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention

fund. The fund shall be administered by the community college system of New Hampshire. The fund shall be nonlapsing and continually appropriated to the community college system to support the program established in this subdivision. The community college system shall establish procedures for receiving and disbursing funds, and it shall report to the committee established in RSA 188-F:71 on the operation of the fund. The fund may accept state or federal appropriations or grants, or gifts, grants, or donations from any other source.

590 Community College System of New Hampshire; Appropriation. There is hereby appropriated to the community college system of New Hampshire the sum of $1,000,000 for the fiscal year ending June 30, 2023. This sum shall be in addition to any other sums appropriated to the community college system and shall not lapse. Funds shall be used to support the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program established in RSA 188-F:70. Of the sum appropriated, up to $875,000 shall be used for course reimbursement under the program and up to $125,000 shall be used for New Hampshire fire academy cost reimbursement. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

591 Effective Date. Section 590 of this act shall take effect June 30, 2023.

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

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

593 Prospective Repeal; 2033. RSA 162-A:7-b, relative to annual grants to regional economic development corporations, is repealed.

594 Effective Date. Section 593 of this act shall take effect June 30, 2033.

595 Prohibited Political Contributions; Candidate or Candidate Committee. RSA 664:4, V is repealed and reenacted to read as follows:

V. By any candidate committee, non-candidate political committee, or political advocacy organization in excess of the following amounts:

	Maximum amount contributed during exploratory phase	Additional maximum amount that may be contributed for the primary election.	Additional maximum amount that may be contributed for the general election.	Total maximum amount of contributions:
Contributed to:				
Candidate or	Unlimited	Unlimited	Unlimited	Unlimited

Candidate Committee				
Non-candidate political committee or political party	Unlimited	Unlimited	Unlimited	Unlimited
Political advocacy organization	Unlimited	Unlimited	Unlimited	Unlimited

596 Effective Date. Section 595 of this act shall take effect upon its passage.

597 Joint Legislative Historical Committee; Rogers Johnson Portrait. The joint legislative historical committee established under RSA 17-I:1 may accept a gift of a portrait of Rogers Johnson and oversee the hanging of the portrait in the state house.

598 Department of Health and Human Services; Early Childhood Mental Health Consultation Pilot Program.

I. The department of health and human services shall implement a minimum 2-year pilot program to develop and maintain a publicly available network of trauma-informed early childhood mental health consultants and ensure ongoing training and consultation of the early childhood mental health consultants. The department may consult with outside resources when establishing the pilot program. Under the pilot program, early childhood mental health consultations shall be:

(a) Provided by qualified mental health professionals who possess a masters or doctoral-level degree in the mental health field and who demonstrate evidence of specialized training and experience in infant and early childhood mental health as established by the department;

(b) Offered, if necessary, to children across settings and regardless of changes to setting and placement;

(c) Integrated with other available behavioral health and family support services providers, including but not limited to the care management entities established under RSA 135-F, early childhood mental health services, and early supports and services; and

(d) Implemented in accordance with this section and include, but not be limited to, the following services:

(1) Conducting observation and assessment of a child and their caregivers across child care settings, including universal strengths-based assessments in accordance with this chapter and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure to stress and symptoms, emotional and behavioral development, and the strengths and needs of the caregiving/child-caregiver relationship;

(2) Consulting with caregivers, teachers, directors, administrators, and other medical and behavioral health providers about the meaning of challenging behaviors and how to meet the needs of the child and care givers;

(3) Strengthening caregiver and professional capacity to successfully handle challenging behaviors though developmentally appropriate methods, including but not limited to reflective questioning, developmental guidance, modeling, and role playing;

(4) Offering training in young child socio-emotional development, emotional and behavioral regulation, and trauma exposure to caregivers and professionals; and

(5) Be provided to any child 0 to 6 years of age presenting with behaviors substantially interfering with their successful engagement in child care and to any child who is placed or at risk of being placed in foster care within 30 days of their placement in care.

II. The department shall establish the eligibility and referral process for consultations that prioritize children in foster care or at risk of being placed in foster care.

III. Notwithstanding any paragraph of this section, the availability of consultations shall be subject to available appropriations to this program.

599 Appropriation; Early Childhood Mental Health Consultation Pilot Program. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to support the early childhood mental health consultation pilot program. Said funds shall not lapse and shall be allocated equally in each year of the biennium ending June 30, 2025.

600 Effective Date. Section 599 of this act shall take effect June 30, 2023.

601 Appropriation; Department of Education; Adult Education. The sum of $500,000, in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education for the purpose of increasing funding available for grants to adult education programs during the biennium ending June 30, 2025. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

602 Effective Date. Section 601 of this act shall take effect June 30, 2023.

603 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend RSA 4:45, I and II to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

(a) Nature of the emergency;

(b) Political subdivisions or geographic areas subject to the declaration;

(c) Conditions that have brought about the emergency; and

(d) Duration of the state of emergency, if ***declared by the governor and*** less than [~~21~~] ***28*** days, ***or if declared by the general court and less than 90 days.***

II.(a) A state of emergency shall terminate automatically [~~21~~] ***28*** days after its declaration ***if declared by the governor, or 90 days after its declaration if declared by the general court,*** unless it is renewed under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency [~~as many times as~~] ***no more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the inhabitants of this state. ***The general court may, by concurrent resolution, renew a declaration of a state of emergency as many times as it finds is necessary to protect the safety and welfare of the inhabitants of this state.***

(b) If the governor finds that maintaining the state of emergency is no longer justified, the governor shall issue an executive order terminating the state of emergency.

(c) The legislature may terminate a state of emergency or any emergency order issued thereunder by a [~~majority vote of both the senate and the house of representatives~~] ***concurrent resolution adopted by a majority vote of each chamber.*** A majority for this vote shall consist of a majority of members present and voting in each chamber acting separately. A state of emergency shall terminate upon a [~~majority vote of both chambers~~] ***concurrent resolution adopted by a majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

[~~(d) Ninety days from the date of declaration of a state of emergency, and every 90 days thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire constitution, and address a joint session of the general court, and shall provide a written copy of the address to all members of both chambers within 5 business days. At such joint session, the legislature shall vote on whether to terminate the state of emergency by concurrent resolution adopted by a simple majority of both chambers acting separately on the following question: "Shall the current state of emergency be terminated?" For purposes of this section, "simple majority" means a majority of members present and voting "yea" in both chambers.~~]

604 Effective Date. Section 603 of this act shall take effect upon its passage.

605 Career and Technical Education Incentive Grant. Recognizing the inherent transportation barriers to participation in career and technical education by students in sending school districts, there shall be established a career and technical education incentive grant, the purpose of which is to encourage transportation of students from sending career and technical education programs to receiving career and technical education programs. Awards made under this grant program shall be on a competitive basis based on criteria established by the department of education.

606 Career and Technical Education Incentive Grant; Appropriation. The department of education is hereby appropriated $4,000,000 of non-lapsing funds in the fiscal year ending June 30, 2023, for the establishment of a competitive grant program to encourage transportation of students from sending career and technical education programs to receiving career and technical education

programs. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund.

607 Effective Date.

I. Section 605 of this act shall take effect upon its passage.

II. Section 606 of this act shall take effect June 30, 2023.

608 New Section; Immigration Checkpoints. Amend RSA 265 by inserting after section 1-c the following new section:

265:1-d Immigration Checkpoints. When any state, county, or municipal police department or law enforcement agency is informed by a federal agency of intent to conduct an immigration checkpoint, the department or agency shall give notice to the public within 24 hours of when the checkpoint is scheduled to occur or as soon as is practical. The notice shall disclose, if known, the date, municipality, and geographical area in which the checkpoint will occur. Notice to the public shall be provided by publishing this information on the government agency's website.

609 Findings; Children's Mental Health. The general court recognizes that the ongoing mental health, substance misuse, and child protection crises have taken a significant toll on New Hampshire's children, families, and taxpayers, and New Hampshire schools are challenged daily to support the behavioral health needs of students while promoting academic achievement for all students. In response, the New Hampshire department of education's office of social and emotional wellness has supported approximately 37 New Hampshire school districts in implementing an evidence-based prevention framework to support the behavioral health and wellness of all students, called multi-tiered system of support for behavioral health and wellness, or MTSS-B. MTSS-B is a key component of the system of care established under RSA 135-F.

610 Appropriation; Department of Education; Children's Mental Health; MTSS-B Framework. The sum of $900,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to perform the statutory duties described under RSA 135-F:5. The appropriation contained in this section shall lapse in the event suitable federal funding for equal or higher value than the appropriation contained in this section is received, or on June 30, 2025, which ever is earlier. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

611 Effective Date. Section 610 of this act shall take effect June 30, 2023.

612 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2023.

LBA
23-1064
Amended 4/17/23

HB 2-FN-A-LOCAL- FISCAL NOTE
AS AMENDED BY THE HOUSE

AN ACT relative to state fees, funds, revenues, and expenditures.

FISCAL IMPACT: [X] State [X] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	See Below	See Below	See Below
Revenue	$0	See Below	See Below	See Below
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General [X] Education [X] Highway [X] Other - Various Government Funds			

COUNTY:

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

LOCAL:

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

METHODOLOGY:

The Office of Legislative Budget Assistant indicates this bill, also known as the budget trailer bill, contains various provisions which will accompany the FY 2024-2025 operating budget as contained in HB 1 throughout the Legislative session. Although some sections have a clear fiscal impact, such as those with appropriations, some sections have a fiscal impact that cannot be determined with any level of precision, while others will have no fiscal impact. As a result, it is difficult to determine the overall impact of HB2 on state, county, and local revenues or expenditures when considered in its totality.

The contents of the bill will evolve during the Legislative budget process as sections are amended, deleted, and added. Throughout this process, the Office of Legislative Budget Assistant prepares summaries and posts all budget documents on their website (www.gencourt.state.nh.us/lba/budget/fy2024_2025_budget.aspx). The Surplus Statements contained on their website provide the best summary of the fiscal impact of the budget trailer bill provisions on state general, highway and fish and game funds.

As amended by the House, HB 2 contains the following revenue impacts to the base revenue estimates provided by the House Ways and Means Committee in HR 17:

Revenue Impact (in thousands)	FY 2024	FY 2025
General Fund	$217,000	$199,350
Education Trust Fund	($223,100)	($224,850)
Total Revenue Impact	($6,100)	($25,500)

As amended by the House, HB 2 contains various appropriations totaling by fund as follows:

Appropriations (in thousands)	FY 2023	FY 2024	FY 2025
General Funds	$222,882	$170,340	$182,801
Education Trust Fund	$0	($10,000)	($10,000)
Highway Fund	$0	$9,262	$11,300
Fish & Game Fund	$0	$875	$1,067
Other Funds	$0	$29,815	$36,374
Federal Funds	$0	$16,702	$20,377
Total Appropriations	$222,882	$216,994	$241,919

AGENCIES CONTACTED:

None

CHAPTER 79
HB 2-FN-A-LOCAL - FINAL VERSION

6Apr2023... 1247h
6Apr2023... 1336h
6Apr2023... 1299h
6Apr2023... 1292h
6Apr2023... 1272h
6Apr2023... 1295h
6Apr2023... 1328h
6Apr2023... 1288h
06/07/2023 2076s
06/07/2023 2092s
06/07/2023 2139s
06/07/2023 2140s
06/07/2023 2171s
8Jun2023... 2179EBA

2023 SESSION

23-1064
10/05

HOUSE BILL ***2-FN-A-LOCAL***

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Weyler, Rock. 14

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Provides for optional retirement system membership for employees of the community college system of New Hampshire hired on or after July 1, 2023.

5. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

6. Authorizes the liquor commission to transfer funds for its employee incentive program.

7. Establishes new, unclassified positions within the department of corrections.

8. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system and removes the position of professional standards director from the department of corrections.

9. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

10. Makes certain organizational changes to the office of the commissioner of the department of environmental services.

11. Alters the hearing processes for the councils within the department of environmental services and establishes a committee to study such processes to identify areas within which to promote efficiency.

12. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resource fund.

13. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

14. Modifies the wastewater plant operator certification fund to be continuously appropriated.

15. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

16. Clarifies the chargeable area for fees associated with terrain alternative disturbances.

17. Removes certain limitations to the Winnipesaukee River basin control program.

18. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

19. Establishes the InvestNH Program and makes an appropriation for this purpose.

20. Makes an appropriation for the affordable housing fund.

21. Repeals statutes related to the advanced manufacturing education advisory council, membership and terms, duties, and the advanced manufacturing education fund.

22. Creates the establishment of the bridges house special account.

23. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

24. Makes an appropriation for the department of corrections IT infrastructure

25. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

26. Makes an appropriation to the department of administrative services for the acquisition of land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire,

conditioned upon the prior successful closing of a sale of the former Laconia state school campus property.

27. Makes an appropriation for the body-worn and dashboard camera fund.

28. Authorizes the Christa McAuliffe memorial and makes an appropriation therefor.

29. Establishes a commission on New Hampshire civics and makes an appropriation to the department of education and commission for the purpose of funding a New Hampshire civics textbook.

30. Establishes a program in the department of education to provide stipends and grants to students to reduce financial barriers to entering the educator workforce.

31. Requires the board of tax and land appeals to have at least one member of the board be an attorney admitted to practice in New Hampshire.

32. Establishes a retirement benefits commission.

33. Makes an appropriation to the office of the child advocate for the purpose of enhancing the case management system.

34. Makes an appropriation to the department of business and economic affairs for the New Hampshire pulp and paper manufacture industry stabilization grant program.

35. Extends the repeal date for the division of personnel's program for recruitment and retention.

36. Makes an appropriation to the university system of New Hampshire for allocation to Keene state college and Plymouth state university.

37. Establishing the position of computer science administrator, the computer science educator program, and making an appropriation therefor.

38. Makes an appropriation to the public school infrastructure fund.

39. Moves the repeal of the interest and dividends tax from 2027 to 2025.

40. Redirects workers' compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.

41. Alters the nomination process to the labor commissioner penalty appeal board.

42. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

43. Alters the composition of the workers' compensation appeal board.

44. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

45. Creates an over-length, over-width, over-height, and over-weight revolving fund credited to the department of transportation.

46. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

47. Exempts department of transportation impacts associated with maintenance projects within existing rights of way and/or permanent easements to certain hearing, mitigation, and notification requirements under certain wetlands provisions.

48. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

49. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

50. Alters the process of the development of the statewide transportation improvement program plan.

51. Alters the process to claim assets which have escheated to the state.

52. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

53. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

54. Directs the department of energy to support offshore wind initiatives.

55. Changes the dates required to submit reports to the department of energy.

56. Increases staff and expenditures at the department of energy.

57. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

58. Enables the commissioner of the department of energy to appoint a general counsel.

59. Changes the statutory fee for record requests from the division of motor vehicles.

60. Allows certain emergency medical care providers to administer Naloxone.

61. Reduces the appropriations to the department of education for education freedom accounts.

62. Changes the distribution schedule from the education trust fund.

63. Defines episode of treatment in court-ordered placement of children and addresses department of education payment for placement for an episode of treatment.

64. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport and to the Winnisquam Regional CTE project.

65. Revises the formula for calculating adequate education grants and increases the amount of such funding.

66. Increases chartered public school funding.

67. Repeals the grade 3 statewide education improvement and assessment program data.

68. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

69. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

70. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

71. Changes the name of the department of administrative services state budget director to the state budget officer.

72. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

73. Makes an appropriation to the department of administrative services for technology upgrades.

74. Revises the duties and authority of the state commission on aging.

75. Establishes the salary schedule applicable to certain corrections officers.

76. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

77. Establishes salaries and salary schedules for certain state officers and unclassified employees.

78. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

79. Makes an appropriation to the department of health and human services for the Choose Love Program.

80. Allows the department of health and human services to fill unfunded positions.

81. Makes an appropriation to the foster grandparent's program.

82. Makes an appropriation to the congregate housing and services program.

83. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.

84. Suspends the provision of direct and indirect graduate medical education payments to hospitals.

85. Suspends catastrophic aid payments to hospitals.

86. Allows for additional funding for Medicaid to schools.

87. Requires submission of health facility plans to the division of fire safety.

88. Moves the health care workplace violence protection program from the department of health and human services to the department of labor, and makes an appropriation to the department of labor to hire a program specialist.

89. Establishes unclassified positions in the department of health and human services.

90. Limitations on reimbursement of county funds.

91. Makes appropriations to the department of health and human services for programs and systems.

92. Makes appropriations to the department of health and human services for Medicaid provider rate increases.

93. Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

94. Revises the workforce development program administration.

95. Reclassifies and renames positions in the department of justice to unclassified.

96. Establishes a handling charge for the division of charitable trusts.

97. Makes certain changes to the administration of programs within the department of justice.

98. Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

99. Increases the business finance authority unified contingent credit limit.

100. Appropriates from the education trust fund to the department of education for the purpose of providing kindergarten adequate education grants.

101. Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state's occupational regulatory boards and commissions.

102. Grants a $500 additional retirement allowance in 2023 to be paid to eligible retired members or beneficiaries. The cost of the additional allowance is paid from the state general fund.

103. Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.

104. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

105. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

106. Authorizes the governor to draw a warrant to supplement the department of revenue administration's revenue information management system's bond principal and interest payments.

107. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

108. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

109. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

110. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

111. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

112. Modifies the department of military affairs and veterans services administration of certain fines and programs.

113. Directs the department of corrections to establish and administer an employee recruitment and retention program.

114. Allows the department of corrections to pay certain burial expenses of employees.

115. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

116. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

117. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.

118. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

119. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

120. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

121. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

122. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

123. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

124. Reestablishes the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program and extends the New Hampshire granite advantage health care program.

125. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

126. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

127. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

128. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

129. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

130. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

131. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

132. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

133. Makes appropriations to the department of health and human services to support family resource

134. Establishes a committee to study the impact of alterations to the eligibility of free and reduced-price school meals.

135. Appropriates money to the department of administrative services for the purpose of moving and fit up costs for state agencies.

136. Authorizes the purchase of land for the construction of a new seventh circuit court facility in Rochester and authorizes the sale of the old seventh circuit property upon the completion of a new facility.

137. Adjusts the source from which the department of health and human services provides reimbursement to the salary adjustment fund for certain salary review.

138. Makes an appropriation to the department of state for certain software updates and high speed scanners enabling additional Accuvote audits.

139. Provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

140. Establishes a New Hampshire housing champion designation program, including a housing production municipal grant program, and a housing infrastructure municipal grant and loan program.

141. Establishes positions within the department of business and economic affairs and makes an appropriation for the program fund.

142. Establishes a commission to study tourism and hospitality in New Hampshire.

143. Directs the deposit of liquor commission revenue into the alcohol abuse prevention and treatment fund.

144. Makes an appropriation to the liquor commission for the purchase of handheld personal computers for use at retail stores.

145. Establishes a surcharge on annual registration for electric and plug-in hybrid electric vehicles.

146. Eliminates the cap on the number of auxiliary state police force members.

147. Creates the northern border alliance program.

148. Modifies the authority and duties of police employees acting within 25 air miles of the border with Canada.

149. Modifies New Hampshire state trooper differential pay.

150. Makes an appropriation to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters.

151. Increases the limit on the DOJ consumer protection escrow account.

152. Expands consumer protection and antitrust bureau duties.

153. Revises criteria and procedures for settlement of claims arising from detention at the youth development center.

154. Establishes the health care consumer protection trust fund and health care consumer protection advisory commission.

155. Makes an appropriation to the department of justice to fund human trafficking prevention efforts.

156. Makes an appropriation to the department of justice for the purpose of funding the New Hampshire child advocacy centers.

157. Makes an appropriation to the internet crimes against children fund to support the work of the Internet Crimes Against Children Task Force.

158. Makes an appropriation to the police standards and training council for funding a court security officer training program and related part-time positions.

159. Makes appropriations to the judicial council to fund increase contract costs for the public defender program and for contract counsel and requires the judicial council to submit a report to the fiscal committee of the general court detailing its use of these funds.

160. Increases the cap on the cost of drug court or alternative drug offender programs offered by judicial districts based on county size.

161. Directs the fish and game department to enable online payment of OHRV and snowmobile initial and renewal registration fees by September 1, 2025.

162. Makes an appropriation to the fish and game fund.

163. Adds limitations on grants-in-aid for OHRV trails administered by the department of natural and cultural resources, bureau of trails.

164. Makes an appropriation to the department of natural and cultural resources to conduct a feasibility study on improving accessibility for people with disabilities to Hampton Beach State Park.

165. Makes an appropriation to the department of natural and cultural resources to renovate and repair the Northwood Meadows Lake Dam.

166. Makes an appropriation to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain.

167. Makes an appropriation to the department of environmental services for wastewater infrastructure projects for the biennium ending June 30, 2027.

168. Makes an appropriation to the department of environmental services for the purpose of funding a new drinking water transmission main between Nashua and Litchfield.

169. Modifies the department of environmental services pollution prevention coordinator position.

170. Makes appropriations to the department of environmental services and the department of energy to support offshore wind energy development.

171. Appropriates $10,000,000 to the department of transportation for municipal bridges, and $10,000,000 to the department of transportation for additional "Apportionment A" local highway distributions.

172. Makes an appropriation to the department of transportation to fund a state operating match that enables rural and urban transit agencies to access additional federal funds.

173. Makes an appropriation for department of transportation for the purpose of vehicle and equipment replacements.

174. Makes an appropriation to the department of transportation to support the Eastern Slopes Regional Airport.

175. Provides for suspension of E-Z pass registration for unpaid tolls in other states.

176. Directs the department of health and human services to develop a public awareness campaign on brain health, Alzheimer's disease, and related dementias and makes an appropriation to the department for this purpose.

177. Makes an appropriation to the department of health and human services and establishes grant guidelines for the purpose of child care agency recruitment and retention.

178. Modifies the child care scholarship program by eliminating parent cost-sharing for families at or below 100 percent of the federal poverty level and establishes a reduced cost share for families between 100 and 138 percent of the federal poverty level.

179. Makes an appropriation to the department of health and human services for an audit of the integrated eligibility system.

180. Extends existing grants to, and makes an appropriation for, juvenile diversion services within the department of health and human services.

181. Funds public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under certain federal programs.

182. Directs the department of health and human services to submit a report relative to implementing area health education centers and advanced training programs for rural health and primary care personnel.

183. Extends the nonlapsing timeframe of the transitional housing beds appropriation made to the department of health and human services in 2021.

184. Extends appropriations for the developmental services pilot program plan through fiscal year 2025.

185. Makes an appropriation to the department of health and human services for the purpose of helping family mutual support providers keep pace with the cost of service provision.

186. Makes an appropriation to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program.

187. Amends an appropriation to the department of health and human services for hospital care coordination, and establishes positions for such purpose.

188. Makes and appropriation for funding juvenile peer-to-peer grief support programming.

189. Makes an appropriation to the department of health and human services for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continuing education.

190. Makes an appropriation to the department of health and human services for the purpose of Granite United Way administering the recovery friendly workplace initiative.

191. Re-establishes the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program.

192. Makes appropriations to the department of health and human services to fund homeless and housing shelter programs.

193. Adds an exception from the moratorium on certain nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility capacity.

194. Expands the state's systems of care for healthy aging, increases access to home and community-based services, establishes person-centered counseling programs through aging and disability resource centers, and makes appropriations to the department of health and human services for these purposes.

195. Directs the department of health and human services, the housing finance authority, New Hampshire employment security, and the department of energy to study the creation, funding, and implementation of graduated public assistance programs to complement existing programs within the state, and appropriates funds to the department of health and human services.

196. Establishes a commission to study charitable gaming and the impact of historical horse racing on revenues for charities, and appropriates $150,000 to the lottery commission for such purposes.

197. Modifies eligibility criteria for tuition waivers for children in guardianships after being in state foster care.

198. Establishes a first responder career development, recruitment, and retention program in the community college system, and makes an appropriation for the program.

199. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

200. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

201. Removes the campaign contribution limit under RSA 664:4 for a candidate or candidate committee.

202. Authorizes the joint legislative historical committee to accept a gift of a portrait of Rogers Johnson and hang this portrait in the state house.

203. Establishes the early childhood mental health consultation pilot program and makes an appropriation therefor.

204. Makes an appropriation to the department of education for grants to adult education programs.

205. Revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.

206. Makes an appropriation to the department of education for the purpose of establishing an incentive grant program to encourage transportation of students in career and technical education programs.

207. Requires a law enforcement agency to provide public notice of an immigration checkpoint.

208. Makes an appropriation to the department of education to perform the statutory duties related to the children's system of care system of care under RSA 135-F:5.

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.

CHAPTER 79
HB 2-FN-A-LOCAL - FINAL VERSION

23-1064
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to state fees, funds, revenues, and expenditures.

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

79:1 Department of Information Technology; Divisions Established. Amend RSA 21-R:5 to read as follows:

21-R:5 Divisions Established. The commissioner shall establish 4 divisions, ***business relationship management, user experience, infrastructure and operations, and user services,*** which shall be in alignment with the department's statewide strategic plan. Each division shall be under the supervision of a division director appointed pursuant to RSA 21-R:3.

79:2 Department of Information Technology; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of information technology may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditures for such positions shall not exceed the amount appropriated for personnel services.

79:3 Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:26 to read as follows:

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

79:4 Regional Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:27, II to read as follows:

II. A student in the program shall be provided funding for enrollment in no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 10, no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 11, and no more than [~~2~~] ***4*** dual or concurrent enrollment courses taken in grade 12. A student may take more than [~~2~~] ***4*** dual or concurrent enrollment courses per year at his or her own expense.

79:5 Dual and Concurrent Enrollment Program; Appropriation. The sums of $2,500,000 for the fiscal year ending June 30, 2024, and $2,500,000 for the fiscal year ending June 30, 2025, are hereby

appropriated to the community ~~college system~~ of New Hampshire for the purpose of providing scholarships and program support for the dual and concurrent enrollment program under RSA 188-E:26. These appropriations shall be in addition to any other funds appropriated to the community college system of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said appropriations shall not lapse.

79:6 Community College System of New Hampshire; Employment; Benefits; Retirement System Status. Amend RSA 188-F:7, I and II to read as follows:

I. Any changes to the conditions of employment, compensation, and benefits of community college system of New Hampshire employees covered by collective bargaining agreements shall be negotiated through the collective bargaining process***, except that community college system employees covered by collective bargaining agreements hired on or after July 1, 2023 shall have the option of membership in the retirement system pursuant to RSA 100-A or a defined contribution plan as designated by the board of trustees.***

II. The community college system of New Hampshire shall[~~, as of the effective date of this section,~~] be considered an employer for the purposes of RSA 100-A:1, IV. Full-time employees of the community college system of New Hampshire [~~as of the effective date of this section~~] ***who are active retirement system members or who elect membership in the retirement system*** shall be considered employees for the purposes of RSA 100-A:1, V.

79:7 New Hampshire Retirement System; Definitions; Employee. Amend RSA 100-A:1, V to read as follows:

V. "Employee" shall mean any regular classified, nonclassified, or unclassified officer or employee of the state or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer, or employees of the general court who work on a full-time basis and are eligible for other state benefits, but whose salary is calculated on a per diem basis, or any employee of the retirement system, or any full-time employee of the community college system of New Hampshire ***who is an active retirement system member or who elects membership in the retirement system,*** or of any of the groups authorized to participate under this chapter but excluding any person who is a teacher, permanent policeman, or permanent fireman as defined in this section, or who is a member or attache of the general court or member of the executive council.

79:8 Appropriation; University System of New Hampshire; Whittemore Center Arena. There is hereby appropriated to the University of New Hampshire the sum of $6,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, and shall be expended for the purpose of renovating and expanding the Whittemore Center Arena. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:9 Effective Date. Section 8 of this act shall take effect June 30, 2023.

79:10 New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive

Program. Amend RSA 176:16 by inserting after paragraph V the following new paragraph:

VI. The commission is authorized to transfer funds for its employee incentive program from the liquor commission fund to such accounts as required to compensate qualifying employees as provided in the liquor commission rules, Liq 800.

79:11 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c: classes 10-personal services-perm classified, 11-personal services unclassified, 12-personal services unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed, and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that any transfer of $100,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

79:12 Department of Corrections; Unclassified Positions Established.

I. The unclassified positions of deputy director of health services, deputy director of rehabilitative services, and deputy warden are hereby established in the department of corrections and shall be qualified for the positions by reason of education and experience, shall be appointed by the commissioner of the department of corrections, and shall serve at the pleasure of the commissioner. The positions shall be as follows:

(a) The deputy director of health services shall oversee the uniform integration of allied healthcare, dental services, health information management, and contractual healthcare services into the comprehensive medical and behavioral health system operated by the department of corrections, and ensure adherence of licensed clinical staff to the laws, rules, standards, and policies of their respective practices. In addition, the deputy director of health services will oversee the department's business agreements to ensure compliance with the health insurance portability and accountability act and its application within a correctional environment. This position shall also establish an organizational reporting structure to ensure that all licensed clinical staff receive adequate and appropriate supervision. Direct reports shall include the facility classified and contracted health administrators and all allied healthcare and health information management staff.

(b) The deputy director of rehabilitative services shall oversee the uniform integration of institutional rehabilitative programs, reentry services, faith-based services, educational and vocational offerings, and family-based services operated by the department of corrections at all locations for those incarcerated, and ensure adherence by certified professionals to the standards, rules, and policies of their respective practices. In addition, this position will oversee and ensure compliance with applicable grants and contractual agreements with external partners and seek out further resources to integrate into the correctional setting to improve programmatic services for the incarcerated population. The deputy director of rehabilitative services will also establish an

organizational reporting structure to ensure all staff, including certified educational professionals, receive adequate and appropriate supervision. Direct reports shall include, but are not limited to, the facilities classified administrators of program services, the education director, and institutional program management staff.

(c) The deputy warden of the New Hampshire state prison for men will work in close and immediate contact with prisoners on a daily basis, having responsibility for security. This position will administer and direct facility objectives by assessing needs and operational effectiveness, establishing controls, and monitoring key performance measures and other quality improvement protocols related to the identified organizational goals of the department and the New Hampshire state prison for men. This position will assist the warden in management of the New Hampshire state prison for men and its security force. This position will conduct post-incident reviews to determine the scope of actions taken and whether those actions comply with applicable state law, administrative rules, policies and procedures, training, and proper use of force. This position will meet with incarcerated individuals and staff as necessary to determine the validity of requests and report on outcomes and areas of improvement to the warden. This position will oversee supervision of prison security operations, bureau of classifications and client records, hobby craft/recreation staff, and related program activities. This position will work with the warden on facility budget planning and development as it relates to equipment and operational costs. This position will maintain its group II law enforcement classification in the retirement system due to its being in close and immediate contact with incarcerated individuals on a daily basis.

II. The commissioner shall appoint a person to each position established pursuant to paragraph I. Any vacancy shall be filled in the same manner as the original appointment.

III. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions, which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. Upon completion of the appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234, 02-46-46-469010-8232, and 02-46-46-463510-3372. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's appointment to the unclassified positions:

(a) Administrator IV (Deputy Director of Health Services) #12849.

(b) Administrator IV (Deputy Director of Rehabilitative Services) #19953.

(c) Administrator IV (Deputy Warden) #16320.

79:13 Department of Corrections; Authorization to Transfer to Group II of the New Hampshire Retirement System. Pursuant to RSA 100-A:3, IX, the following positions in the department of corrections classified as group I positions are deemed to have met the requirement of RSA 100-A:1,

VII(b) and shall be transferred to group II status in the New Hampshire retirement system:

I. Licensed Nursing Assistant III, #44273.

II. Licensed Nursing Assistant I, #44291.

III. Administrator - Secure Psychiatric Unit, #16849.

79:14 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be as specified in RSA 94:1-a.

79:15 Department of Corrections; Position Reallocation; Appropriation.

I. The department of administrative services is hereby authorized to conduct a reallocation of all the certified corrections officer and internal affairs investigators from the rank of corrections officer trainee through the rank of major at the department of corrections. The department of administrative services shall conduct an assessment review of the reallocation request pursuant to personnel rule Per 303.

II. The governor is authorized to draw a warrant for said sums in this section out of any money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such funds shall not lapse until June 30, 2025.

79:16 Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III-a and IV to read as follows:

III-a. The commissioner shall nominate for appointment by the governor and council a chief operations officer of the commissioner's office who shall serve for a term of 4 years. The chief operations officer shall oversee and coordinate the activities of the administrative services ***unit*** [~~, geology, public information and permitting, and laboratory services units,~~] and shall be responsible for the following functions:

(a) Preparing agency budget requests.

(b) [~~Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office.~~

~~(c) Ensuring compliance with directives and procedures by the governor and general court.~~

~~(d) Implementing audit recommendations concerning the commissioner's office units.~~

~~(e)~~] Carrying out the directives of the commissioner and assistant commissioner.

IV. ***The commissioner, or assistant commissioner, as designated by the commissioner, shall be responsible for the following functions:***

(a) Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office;

(b) Ensuring compliance with directives and procedures by the governor and general court; and

(c) Implementing audit recommendations concerning the commissioner's office units.

V. The salaries of the commissioner, the assistant commissioner, the chief operations officer, and each division director shall be as specified in RSA 94:1-a.

79:17 Department of Environmental Services; Office of the Commissioner. Amend RSA 21-O:12 to read as follows:

21-O:12 Office of the Commissioner. The commissioner of environmental services shall establish units within [~~his~~] ***the*** office to be responsible for: administrative services, [~~geology~~] ***geological survey, human resources***, planning, public information and permitting, risk analysis and management, and [~~laboratory services~~] ***legal***, which shall include the following functions and such other functions as may be assigned by the commissioner:

I. Administrative services shall include the following services to all divisions, to the greatest extent possible:

(a) Accounting, purchasing, and budget control.

(b) Personnel management.

(c) Property, contracts, and grants management.

[~~(d) Data processing.~~

~~(e) Compiling, indexing, and managing data collected by all divisions, which shall be used to establish a departmental data base for use by all divisions of the department, and which shall be a public record.~~]

II. Geology shall be under the direction of the state geologist, who shall be the director of the New Hampshire geological survey. The geological survey shall collect data and perform research on the land, mineral, and water resources of the state, and disseminate the findings of such research to the public through maps, reports, and other publications. The state geologist shall: consult with the commissioner of the department of natural and cultural resources relative to the issuance of mining permits under RSA 12-E; assist the directors of the divisions of water and waste management as necessary; and perform such other duties as may be assigned by the commissioner. The state geologist and all members of the New Hampshire geological survey shall be staff members of the commissioner's office. The state geologist shall advise the department, and all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors

relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geologic agencies and with the state university. The state geologist shall also serve as a voting member of the board of professional geologists.

III. Planning shall be under the direct supervision of the assistant commissioner and shall include all department-level short- and long-range planning activities and the coordination and compilation of all division-level planning activities.

IV. Public information and permitting shall assist members of the general public[~~,~~] whenever possible by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements.

V. The risk analysis and management function shall be the direct responsibility of the assistant commissioner, in accordance with RSA 125-H:7. The commissioner may call on any personnel from any division or any other state department to assist the assistant commissioner in the event of a crisis, disaster, or other occurrence or condition requiring analysis and management of an actual or suspected risk of damage to the environment. The unit, once assembled by the commissioner in the event of a crisis, disaster, occurrence, or condition, shall work closely with the risk assessment bureau in the department of health and human services under the direction of the assistant commissioner to:

(a) Make assessments of potential or actual risk of harm to the environment or, in cooperation with the risk assessment bureau of the department of health and human services, to persons.

(b) Manage environmental risk hazards using the results of the assessment described above or any other available information to develop and evaluate regulatory options, within a statutory framework, to reduce or eliminate the risk of harm to the environment.

~~[VI. Laboratory services shall include such expert assistants and such facilities as are necessary to support the investigatory, analytical, and enforcement functions of the department of environmental services. The commissioner shall provide the commissioner of the department of health and human services with direct access to all raw data, test results, and other information and samples received or generated by the laboratories in the department deemed necessary by the commissioner of the department of health and human services in order to carry out his or her responsibilities to protect the public health.~~]

79:18 Department of Justice; Attorney General; Deputy; Associates; Assistants. Amend RSA 21-M:3, VIII-IX to read as follows:

VIII. The attorney general shall appoint qualified applicants to serve as [~~a~~] hearing [~~officer~~] ***officers*** for appeals to any of the councils established under RSA 21-O. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of

understanding to transfer funds sufficient to fund the hearing officer position, ***clerical and support personnel and services,*** and related expenses. Such individual or individuals shall:

(a) Be ***an attorney*** qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts, ***preferably a retired justice of the superior or supreme court***; and

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department.

VIII-a. Upon request by the commissioner of the department of environmental services, the attorney general shall appoint qualified applicants to serve as hearing officers for all administrative enforcement matters authorized under any provision of law, including, but not limited to, administrative fines and license actions. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be an attorney qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts;

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department;

(c) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences; and

(d) Provide the commissioner with a proposed written decision on the merits within 45 days of the conclusion of the final hearing.

IX. When designated as the hearing officer for a particular appeal ***to any of the councils established under RSA 21-O,*** the hearing officer shall:

(a) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences;

(b) Subject to RSA 21-O:14, at the first prehearing conference order the parties and any persons who have been allowed to intervene to participate in mediation if the hearing officer concludes that it is reasonably possible that mediation will result in the resolution of the issues in dispute in the proceeding. No order to mediate shall stay the appeal proceeding;

(c) Adopt all findings of fact made by the council except to the extent any such finding is without evidentiary support in the record;

(d) Deliberate with the council before reaching conclusions on mixed questions of law and fact;

(e) Decide all questions of law presented during the pendency of the appeal; and

(f) Prepare and issue written decisions on all motions and on the merits of the appeal within 100 days of the conclusion of the hearing on the merits. The hearing officer shall provide the

council with a proposed written decision on the merits within 45 days of the conclusion of the hearing on the merits. If requested to do so by the members of the council participating in the discussion, the hearing officer shall meet with those members within the 100-day period to discuss the decision.

79:19 Department of Environmental Services; Duties of Commissioner. Amend RSA 21-O:3, VIII-X to read as follows:

VIII. Provide all necessary clerical and technical support to any council established by this chapter. At a minimum, the commissioner shall:

(a) [~~For any appeal from a department decision before any such council provide all necessary clerical and support personnel and services in order to:~~

~~(1) Prepare notices and other documents required under RSA 541-A and distribute such notices and documents as directed by the hearing officer appointed under RSA 21-M:3, VIII;~~

~~(2) Schedule the conduct of all council administrative appeal proceedings, as directed by the hearing officer appointed under RSA 21-M:3, VIII so as to ensure timely and efficient conduct of such proceedings;~~

~~(3) Prepare and maintain the record, required by RSA 541-A, of all such appeals, which shall include the decisions issued in such proceedings.~~

~~(b)~~] Provide comfortable and adequate space for the use of all councils in performing their official duties; and

[~~(c)~~] ***(b)*** Provide all necessary clerical and support personnel and services in order to:

(1) Prepare and distribute notices and other documents required under RSA 91-A for council meetings; and

(2) Prepare and maintain as public records the official minutes of the meetings of all councils supported by the department.

VIII-a. Have the authority to enter into a memorandum of understanding with the attorney general pursuant to RSA 21-M:3, VIII and VIII-a, to fund the hearing officer position, clerical and support personnel and services, and related expenses.

IX. [Repealed.]

X. [Repealed.]

79:20 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, V to read as follows:

V. ***A quorum of at least 3 members of*** the wetlands council shall hear all administrative appeals from department decisions made under RSA 482-A relative to wetlands, or under RSA 483-B relative to shoreland protection and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

79:21 Department of Environmental Services; Water Council. Amend RSA 21-O:7, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the water council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of water other than department decisions made under RSA 482-A relative to wetlands and RSA 483-B relative to shoreland protection, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

79:22 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, V to read as follows:

V. ***A quorum of at least 3 members of*** the waste management council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of waste management, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

79:23 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the air resources council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of air resources and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

79:24 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, I-a(a) to read as follows:

I-a.(a) Any person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal ***such decision by submitting a notice of appeal*** to the council having jurisdiction over the subject matter of the appeal within 30 days of the date of the decision and shall set forth fully in a notice of appeal every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal shall be considered by the council. On any such appeal, the council shall determine whether the department decision was unlawful or unreasonable by reviewing the administrative record together with any evidence and testimony the parties to the appeal may present.

79:25 Department of Environmental Services; Appeals Process Study Committee Established.

I. There is hereby established a committee to study the appeals process administered by the environmental councils established under RSA 21-O.

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

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives; and

(b) One member of the senate, appointed by the president of the senate.

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

IV. The duties of the committee shall be as follows:

(a) Study the appeals process of the environmental councils established in RSA 21-O with a focus on expediting appeals resolutions;

(b) Improve the cost effectiveness of the appeals process; and

(c) Consult with the chairmen of the four environmental councils to accomplish these goals.

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

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2023.

79:26 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30, I-b to read as follows:

I-b. [~~There is hereby established the subsurface systems fund into which~~] The fees collected under paragraph I shall be deposited ***in the water resources fund established in RSA 482-A:3, III*** [~~. The fund shall be a separate, nonlapsing fund, continually appropriated to the department~~] for the purpose of paying all costs and salaries associated with the subsurface systems program ***and other land resources management programs.***

79:27 Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed.

79:28 Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to wetlands under RSA 482-A, protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17, conducting field investigations, ***individual sewage disposal systems and subdivisions under RSA 485-A:30,*** and holding public hearings. Such fees and any monetary grants, gifts, donations, or interest generated by these funds shall be deposited with and held by the treasurer in a nonlapsing ***and continuously appropriated*** fund identified as the water resources fund.

79:29 Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. Amend RSA 485-A:7-a, II to read as follows:

II. All applications shall be accompanied by a $50 fee to cover department expenses for conducting the certification program. All fees shall be deposited [~~with the state treasurer and deposited~~] in a special, nonlapsing, ***and continuously appropriated*** wastewater plant operator certification fund to be used by the department for the administration of this subdivision and for the

operation of the department-owned Wastewater Plant Operator Training Center.

79:30 Water Management and Protection; Aid to Municipalities for Water Pollution Control; Application for Funding. Amend RSA 486:7 to read as follows:

486:7 Application for Funding. Application for payments under the provisions of this chapter shall be made in accordance with rules adopted by the department under RSA 541-A, and shall be based upon reports filed with the department prior to January 31 in the calendar year for which payment is being requested. ***Final applications must be received within one year of final completion of project to be eligible for funding.***

79:31 Appropriation; Department of Environmental Services; Municipal Water Pollution Control. There is hereby appropriated to the department of environmental services the sum of $27,900,000 for the fiscal year ending June 30, 2023 for the purpose of administering payments pursuant to RSA 486:1-RSA 486:8. The sum appropriated shall be nonlapsing. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:32 Effective Date. Section 31 of this act shall take effect June 30, 2023.

79:33 Water Management and Protection; Water Pollution and Waste Disposal; Enforcement; Terrain Alteration. Amend RSA 485-A:17, II(b) to read as follows:

(b) The department shall charge a non-refundable fee of $500 plus a $.10 per square foot ***of disturbance associated with the amendment request*** fee for each request to amend a permit that requires plans to be reviewed.

79:34 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

II. To provide funds for the municipal share of the costs involved pursuant to this subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of [~~$3,000,000~~] ***$30,000,000*** and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

79:35 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Municipal Assessments. Amend RSA 485-A:50, III to read as follows:

III. The respective share of the assessments made in paragraphs I and II shall be paid to the department by each municipality quarterly [~~on July fifteenth, October fifteenth, January fifteenth, and April fifteenth of that fiscal year~~], except for capital cost recovery assessments which shall be paid annually [~~on July fifteenth~~]. After the close of each fiscal year, the department shall ascertain its actual total expenses in accordance with the foregoing provisions, and then shall adjust the assessment for the second quarterly payment of the new fiscal year for each such municipality served for any under-payment or over-payment by each such municipality served for the prior fiscal year.

79:36 New Chapter; PCB Assistance. Amend RSA by inserting after chapter 483-E the following new chapter:

CHAPTER 483-F

PCB ASSISTANCE

483-F:1 Purpose Statement. The general court recognizes that polychlorinated bi-phenyl (PCB) contamination is widespread in New Hampshire and impacts both land and water. As a result of PCB laden products used both as intended and inappropriately dumped from 1929-1977, over 100 waterways have become impaired for fish consumption. In addition, waterfowl have been found to have high levels of PCBs in their blood and in their eggs. The general court hereby declares that the purpose of this chapter is to better understand the impact of PCBs on aquatic life and to ameliorate those impacts to the greatest extent possible.

483-F:2 Definitions. In this chapter:

I. "Department" means the department of environmental services.

II. "Fund" means the PCB assistance fund established in this chapter.

483-F:3 PCB Assistance Fund.

I. There is hereby established in the department the PCB assistance fund which shall be maintained in distinct and separate custody from all other funds, notwithstanding RSA 6:12. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services for the purposes of this chapter.

II. The commissioner may apply for and accept, from any source, gifts; donations of money; grants; federal, local, private, and other matching funds and incentives; and interests in land for the purposes of this chapter. The moneys collected under this paragraph shall be deposited in the fund established under paragraph I of this section.

III. The commissioner shall adopt rules relative to the distribution of money from the fund, taking into consideration ability to pay, natural disaster conditions and locations, requirements for repair, replacement and treatment, and other factors as determined by the department.

79:37 Appropriation; Department of Environmental Services; PCB Contamination. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the department of environmental services for the purpose of assisting to fund studies, investigations and remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:38 Effective Date. Section 37 of this act shall take effect June 30, 2023.

79:39 New Subdivision; InvestNH Program. Amend RSA 12-O by inserting the following new subdivision after section 68:

InvestNH Fund and Program

12-O:69 Fund Established. There is hereby established in the office of the state treasurer a fund

to be known as the InvestNH fund. The fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source. The fund may be expended by the commissioner to accomplish the purposes of RSA 12-O:70. The moneys in this fund shall be non-lapsing.

12-O:70 InvestNH Program. The department shall establish a program to make grants and loans for the purpose of improving the ability to accelerate the approval of affordable workplace housing as defined in RSA 674:58, IV, and other types of housing determined by the department to be important for the economic development of the state. Grants and loans may be made by the department to municipalities and to housing developers in which at least 20 percent of the housing units to be developed will be affordable for a period of at least 10 years. Such units will be affordable to and intended for occupancy by households with incomes up to 80 percent of the area median income, as established by the U.S. Department of Housing and Urban Development. The program shall be known as the InvestNH Program. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024.

79:40 New Subparagraph; Application of Receipts; InvestNH Program. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the InvestNH fund as established in RSA 12-O:69.

79:41 Appropriation; InvestNH. The sum of $10,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the InvestNH fund established in RSA 12-O:69 for the purposes set forth in RSA 12-O:70. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:42 Effective Date. Section 41 of this act shall take effect June 30, 2023.

79:43 Appropriation; Affordable Housing Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established by RSA 204-C:57, the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:44 Effective Date. Section 43 of this act shall take effect June 30, 2023.

79:45 Repeals; Advanced Manufacturing Education. The following are repealed:

I. RSA 188-E:21, relative to the advanced manufacturing education advisory council.

II. RSA 188-E:22, relative to the advanced manufacturing education advisory council membership and terms.

III. RSA 188-E:23, relative to the advanced manufacturing education advisory council duties.

IV. RSA 188-E:23-a, relative to the advanced manufacturing education fund.

79:46 New Subdivision; Bridges House Special Account. Amend RSA 4:9 by inserting after

section 4:9-r the following new subdivision:

Bridges House Special Account

4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the state treasury the bridges house special account fund. The funds may be comprised of public funds, gifts, grants, donations or any other source of funds, and shall be used for the purposes of the care, maintenance, repair of, and additions to, the bridges house, or for any other relevant purpose deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be continually appropriated to the department.

79:47 New Subparagraph; Application of Receipts; Bridges House Special Account. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the bridges house special account fund under RSA 4:9-s.

79:48 New Section; Department of Corrections; New Hampshire State Prison Fund Established. Amend RSA 21-H by inserting after section 16 the following new section:

21-H:17 Department of Corrections; New Hampshire State Prison Fund Established. There is hereby established in the state treasury a state prison fund, which shall be administered by the department of corrections. The fund shall not lapse. The fund is established for the purpose of design and construction of a new New Hampshire state prison.

79:49 New Subparagraph; Application of Receipts; New Hampshire State Prison Fund 2023. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire state prison fund under RSA 21-H:17.

79:50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is hereby appropriated to the department of corrections the sum of $10,000,000 for the fiscal year ending June 30, 2023 for deposit in the New Hampshire state prison fund under RSA 21-H:17, for the purpose of preliminary design and complete site survey for a new state prison. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:51 Effective Date. Sections 48-50 of this act shall take effect June 30, 2023.

79:52 Appropriation; Department of Corrections; IT Infrastructure. There is hereby appropriated to the department of corrections the sum of $1,340,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing certain computers and information technology infrastructure. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

79:53 Effective Date. Section 52 of this act shall take effect June 30, 2023.

79:54 Appropriation; Department of Administrative Services. There is hereby appropriated to the department of administrative services the sum of $21,000,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 2 Granite Place, Concord, New Hampshire in order to provide

office space for the department of justice and other state agencies, or for any other purpose the commissioner of the department of administrative services determines is necessary, provided that any unexpended amount following the completion of the purchase shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

79:55 Effective Date. Section 54 of this act shall take effect June 30, 2023.

79:56 Appropriation; One Granite Place. The sum of $13,000,000 is hereby appropriated for the biennium ending June 30, 2025, to the department of administrative services for the acquisition of the land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire, such building to be used for state government office space. The foregoing appropriation is conditioned upon the prior successful closing of a sale of the former Laconia state school campus property. Such appropriation includes the estimated total amount of $2,000,000 for necessary upgrades to building mechanical systems. The total appropriated amount shall remain subject to adjustment pending completion of a comprehensive inspection of the building and its mechanical systems to be commissioned by the department and paid for from the monies appropriated in 2022, 272:6. The sum hereby appropriated shall be a charge against the proceeds from any sale of the former Laconia state school campus property. Any unexpended amount shall lapse to the general fund.

79:57 Appropriation; Body-Worn and Dashboard Camera Fund. There is hereby appropriated to the department of safety for deposit in the body-worn and dashboard camera fund established in RSA 105-D:3 the sum of $1,005,000 for the fiscal year ending June 30, 2023. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

79:58 Effective Date. Section 57 of this act shall take effect June 30, 2023.

79:59 Department of Natural and Cultural Resources; Christa McAuliffe Memorial.

I. The department of natural and cultural resources shall design, construct, and maintain a permanent memorial to Christa McAuliffe on state house grounds, specifically at the front-facing area of the state house.

II. The governor is authorized to accept for the department of natural and cultural resources, in the name of the state, any gifts of money which are donated to construct and maintain the Christa McAuliffe memorial. Notwithstanding any other provision of law, the department may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial without governor and council approval.

III. Any gifts of money donated to contract, construct, and maintain the memorial shall be placed in the special nonlapsing account in the state treasury, to be expended for the purposes of the Christa McAuliffe memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, and repair of and additions to the

memorial, or for any other purpose deemed appropriate.

IV. The memorial shall be permanently affixed to state house grounds, on the front-facing portion of the state house, upon completion.

79:60 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department of natural and cultural resources the sum of $500,000 for the fiscal year ending June 30, 2023, which shall be placed in a special nonlapsing account in the state treasury, for the purpose of designing, constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds, specifically the front-facing area of the state house. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:61 Effective Date. Sections 59 and 60 of this act shall take effect June 30, 2023.

79:62 New Section; Department of Education; The Commission on New Hampshire Civics; Commission Established. Amend RSA 21-N by inserting after section 8-b the following new section:

21-N:8-c Commission Established; Department of Education; New Hampshire School Civics Program. The commission on New Hampshire civics is hereby established to develop educational materials to teach the state constitution in New Hampshire schools.

I. Notwithstanding RSA 14:49 the members of the commission shall be as follows:

(a) Three public members appointed by the governor, of which at least one shall be the parent of a student in a qualified New Hampshire education program.

(b) The chair of NH Civics, or designee.

(c) The chief justice of the New Hampshire supreme court, or designee.

(d) The secretary of state, or designee.

(e) The chief administrative judge of the New Hampshire superior court, or designee.

(f) The chief administrative judge of the New Hampshire circuit court, or designee.

(g) The commissioner of the department of education, or designee.

(h) Two New Hampshire civics teachers appointed by the commissioner of education.

(i) The executive director of the New Hampshire Historical Society, or designee.

(j) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(k) One member of the senate, appointed by the president of the senate.

(l) One member of the governor's office, appointed by the governor.

II. The commission shall create a textbook and related curriculum specifically designed for New Hampshire students and teachers to help them explore the history, heritage and principles of the New Hampshire Constitution and the government it established.

(a) A paper copy of the published textbook shall be available for each New Hampshire civics classroom and an interactive electronic version shall be made available on the department of education's website or in another form to all New Hampshire citizens at no charge.

(b) The commission shall meet as often as the chair determines and shall publish the book on or before August 1, 2025.

III. The members of the commission shall elect a chairperson among the members. The first meeting of the commission shall be called by the first-named governor appointee. The first meeting of the commission shall be held within 30 days of the effective date of this section. A majority of the members of the commission shall constitute a quorum.

79:63 Department of Education; Commission on New Hampshire Civics. There is hereby appropriated to the department of education, commission on New Hampshire civics established in RSA 21-N:8-c, the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall not lapse, for the purpose of creating a New Hampshire civics textbook to be distributed to every New Hampshire civics classroom. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:64 Effective Date. Section 63 of this act shall take effect June 30, 2023.

79:65 New Section; Department of Education; Higher Education; Recruitment of Educators. Amend RSA 21-N by inserting after section 8-c the following new section:

21-N:8-d Recruitment of Educators in New Hampshire.

I. In this section:

(a) "Academic residency" means participation in an approved educator preparation program field-based experience under the supervision of a cooperating teacher or mentor.

(b) "Approved program" means an approved professional educator preparation program by the state board of education.

(c) "Educator" means a teacher or certified paraprofessional.

(d) "Eligible student" means a student who is enrolled in an approved program of preparation and eligible for financial assistance because the student's expected family contribution does not exceed 200 percent of the maximum federal Pell-eligible expected family contribution.

(e) "Candidate" means an educator candidate who is participating in an academic residency and placed in a school or community-based setting.

II. There is established an educator recruitment grant program administered by the department of education. Stipends or grants shall be awarded for the purpose of reducing the financial barriers to entering the educator workforce while eligible students gain clinical teaching experience either through a student teaching program or pre-educator preparation program. The program shall:

(a) Provide grants to New Hampshire institutions of higher education that fund programs designed to increase participation in the educator workforce.

(b) Provide grants to fund stipends for candidates during their clinical experience while engaging in education career pathway programs designed to culminate in licensure as an educator.

(c) Stipends for a student teaching program shall be $500 per week for not more than 16 weeks.

III. The higher education commission shall adopt any rules and guidelines to implement and administer the program.

IV. In order to qualify to participate in the stipend program, a student must be an eligible student and placed as student teacher in a public school or community agency as a candidate working toward an initial teaching certificate.

V. The department shall report annually to the chairs of the senate education committee and the house education committee, on:

(a) The number of students served by the program.

(b) The amounts of stipends received each year.

(c) The reported number of hours each eligible student works a second job to earn income.

VI. If the amount appropriated to the department for use in the educator recruitment grant program in a state fiscal year is insufficient to fully fund the stipends and grants for the total number of eligible students for that state fiscal year, the department shall reduce the amount distributed to each approved program of preparation by the same percentage that the deficit bears to the amount required to fully fund the total number of eligible students who qualify for the stipend program.

79:66 Department of Education; ARPA and ESSER Funds. The governor shall determine if any discretionary American Rescue Plan Act (ARPA) funds, or Elementary and Secondary School Emergency Relief Fund (ESSER) funds, can be used for the purpose funding the grants and stipends under RSA 21-N:8-d. The department of education may request to accept and expend any such funds from the governor and council and the fiscal committee of the general court pursuant to RSA 14:30-a, VI.

79:67 Board of Tax and Land Appeals. Amend RSA 71-B:1 to read as follows:

71-B:1 Board Established. There is hereby established a board of tax and land appeals, hereinafter referred to as the board, which shall be composed of 3 members who shall be learned and experienced in questions of taxation or [~~of~~] real estate valuation and appraisal, or [~~of~~] both. ***At least one member of the board shall be an attorney admitted to practice in New Hampshire.*** The members of the board shall be full-time employees and shall not engage in any other employment during their terms that is in conflict with their duties as members of the board.

79:68 New Section; Retirement Benefits Commission Established. Amend RSA 100-A by inserting after section 57 the following new section:

100-A:58 Retirement Benefits Commission.

I. There is established a commission to study retirement benefits and retention of employees.

II. The members of the commission shall be as follows:

(a) Four members of the senate, at least one of whom shall be a member of the minority party, appointed by the president of the senate.

(b) Four members of the house of representatives, at least one of whom shall be a member of the minority party, appointed by the speaker of the house of representatives.

(c) One representative of the New Hampshire Municipal Association, appointed by the association.

(d) One representative of the New Hampshire School Boards Association, appointed by the association.

(e) One representative of the New Hampshire Association of Counties, appointed by the association.

(f) One representative of the Professional Firefighters of New Hampshire, appointed by that organization.

(g) One representative of the New Hampshire Troopers Association or New Hampshire Police Association, appointed by mutual agreement.

(h) One teacher, appointed by the National Education Association - New Hampshire.

(i) One state employee, appointed by the New Hampshire State Employees Association.

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

IV. The commission shall examine issues surrounding retirement benefits, including:

(a) The impact retirement benefits have on the retention of employees and the ability to attract new employees.

(b) Whether changes to the current benefit structure are warranted, including the cost and funding source of any proposed change.

(c) The report of the decennial retirement commission.

(d) Analyzing the financial status of the retirement system and performing a risk assessment to the system.

(e) Whether cost of living adjustments (COLAs) or stipend are appropriate and could be funded through employer and employee contributions.

(f) Making recommendations ensuring the long-term viability of the New Hampshire retirement system.

(g) Considering the effect that policy changes have on the state and political subdivisions.

(h) Consideration of a state employer match toward state employee contributions under the state of New Hampshire public employees deferred compensation plan.

V. Members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2023.

79:69 Repeal. RSA 100-A:58, relative to the retirement benefits commission, is repealed.

79:70 Effective Date. Section 69 of this act shall take effect December 1, 2023.

79:71 Appropriation; Office of the Child Advocate; Case Management System. The sum of $200,700 for the fiscal year ending June 30, 2023, is hereby appropriated to the office of the child advocate for the purpose of enhancing the case management system. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:72 Effective Date. Section 71 of this act shall take effect June 30, 2023.

79:73 New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program; Appropriation.

I. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of business and economic affairs for the New Hampshire pulp and paper manufacturing industry stabilization grant program. This appropriation is in addition to any other funds appropriated to the department of business and economic affairs. This appropriation shall lapse on June 30, 2025.

II. In this section, "New Hampshire pulp and paper manufacturer" means a New Hampshire-based entity engaged in the processing or manufacturing of pulp, paper and paperboard products and producing paper products.

III. With the approval of the joint legislative fiscal committee, the department of business and economic affairs shall administer this grant program based on the following criteria:

(a) Applicants shall demonstrate and quantify the impact of COVID-19, infrastructure failures, industry decline, workforce development, and other factors impacting the forest products manufacturing industry in New Hampshire.

(b) Applicants shall demonstrate that jobs will be preserved or created as a result of receiving grant funding under this act.

79:74 Effective Date. Section 73 of this act shall take effect on June 30, 2023.

79:75 Program for Recruitment and Retention; Effective Date of Repeal Extended. Amend 2022, 147:3 to read as follows:

147:3 Effective Date.

I. Section 2 of this act shall take effect July 1, [~~2023~~] ***2024***.

II. The remainder of this act shall take effect 60 days after its passage.

79:76 Effective Date. Section 75 of this act shall take effect June 30, 2023.

79:77 Appropriation; University System of New Hampshire. There is hereby appropriated to university system of New Hampshire the sum of $3,000,000 in the fiscal year ending June 30, 2023. Said appropriation shall be matched with $3,000,000 from the university system, for a total of $6,000,000, and allocated to Keene state college and Plymouth state university. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:78 Effective Date. Section 77 of this act shall take effect June 30, 2023.

79:79 New Section; Department of Education. Amend RSA 21-N by inserting after section 12 the following new section:

21-N:13 Computer Science and STEM; Administrator. There is established a position within the department of education who shall be a classified employee at no less than the level of administrator II. The computer science and STEM position shall be qualified to hold such position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The computer science and STEM position shall coordinate and provide assistance to oversee the computer science educator program established in RSA 200-O. The computer science and STEM position shall:

I. Coordinate and provide technical assistance to all public schools in the state that participate in the computer science educator program.

II. Assist educators in the state that pursue eligible industry recognized credentials and utilize the computer science professional development fund.

III. Assist with administering the computer science professional development fund and computer science educator incentive fund.

IV. Coordinate and provide technical assistance with those school and educators that partake in the experiential robotics platform.

V. Serve as a resource for administrators and educators regarding computer science and STEM.

79:80 New Chapter; Computer Science Educator Program. Amend RSA by inserting after chapter 200-N the following new chapter:

CHAPTER 200-O

COMPUTER SCIENCE EDUCATOR PROGRAM

200-O:1 Purpose. The purpose of this chapter is to promote broader computer science education in New Hampshire with the goal of preparing more students for employment opportunities in this field and to establish the administrator of computer science education and STEM within the department of education.

200-O:2 Definitions. In this chapter:

I. "Computer science administrator" refers to the computer science and STEM administrator established in RSA 21-N:13.

II. "Eligible industry recognized credential" or "IRC" refers to those industry recognized credentials in computer science or related fields that are approved by the computer science administrator to expand computer science education for participation in the below funds.

III. "Full time or equivalent" refers to the amount of time an individual engages in instruction in a New Hampshire education program, which shall be considered full-time or equivalent if it includes instruction of not less than 4 one-credit classes per semester or instruction of no less than 80 students over the course of a semester.

200-O:3 Computer Science Professional Development.

I. The department shall determine, in coordination with the computer science administrator to expand computer science education, industry recognized credentials eligible for reimbursement and the amount of reimbursement. Any such reimbursements shall be based on the successful attainment of an eligible IRC.

II. The department of education shall create an application process, which it shall publish on or before 6 months from the effective date of this act, for New Hampshire certified educators to seek reimbursement for all or a portion of the cost of obtaining an eligible industry recognized credentials in the field of computer science. The process shall include a list of eligible industry recognized credentials and the amount of reimbursement for successful attainment.

200-O:4 Computer Science Educator Credential.

I. The department of education shall adopt through rulemaking pursuant to RSA 541-A, a computer science educator credential that permits individuals holding eligible industry recognized credentials to receive a New Hampshire certified educator credential in the area of computer science. Such individuals shall be qualified to teach in approved New Hampshire education programs.

II. Individuals teaching full time, or the equivalent, in an approved New Hampshire computer science education program shall be eligible for a $5,000 bonus for the first year of teaching, and $2,500 each year for the next 2 years of teaching. Only completed years of teaching shall be eligible and there shall be no proration for partial years.

200-O:5 Experiential Robotics Platform (XRP). As part of the STEM initiative for New Hampshire schools, experiential robotics platform, 5,500 robotics kits shall be made available for all New Hampshire classrooms for grades 6-12. The program shall consist of standards-based curriculum and hands-on resources, designed to facilitate competency-based learning in the classroom.

79:81 Appropriations; Department of Education; Computer Science Professional Development.

I. There is hereby appropriated to the department of education the sum of $500,000 for the fiscal year ending June 30, 2023 for the purpose of encouraging New Hampshire certified educators to pursue eligible industry recognized credentials in the field of computer science. This

appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. There is hereby appropriated to the department of education the sum of $2,741,871 for the fiscal year ending June 30, 2023 for the purpose of encouraging individuals holding an eligible industry recognized credentials to teach computer science or related courses of study in New Hampshire approved education programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. There is hereby appropriated to the department of education the sum of $455,000 for the fiscal year ending June 30, 2023 for the purpose of implementing the experiential robotics platform in all New Hampshire classrooms for grades 6-12 including, but not limited to the purchase of robotics kits from First New Hampshire Robotics, Experiential Robotics Platform, career and technical education of community college fabrication sites, and professional development delivery and support. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The sum of $303,129 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to be expended in biennium ending June 30, 2025, for the computer science and STEM position established in this act. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:82 Effective Date. Section 81 of this act shall take effect June 30, 2023.

79:83 Appropriation; Public School Infrastructure Fund. There is hereby appropriated the sum of $10,000,000 from the education trust fund, in the fiscal year ending June 30, 2023, for deposit in the public school infrastructure fund established in RSA 198:15-y. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. This appropriation shall not lapse.

79:84 Effective Date. Section 83 of this act shall take effect June 30, 2023.

79:85 Taxation of Incomes; Rate. Amend RSA 77:1 to read as follows:

77:1 Rate.

I. The annual tax upon incomes shall be levied at the rate of 5 percent for all taxable periods ending before December 31, 2023.

II. The annual tax upon incomes shall be levied at the rate of 4 percent for all taxable periods ending on or after December 31, 2023.

III. The annual tax upon incomes shall be levied at the rate of 3 percent for all taxable periods ending on or after December 31, 2024.

[~~IV. The annual tax upon incomes shall be levied at the rate of 2 percent for all taxable periods ending on or after December 31, 2025.~~

~~V. The annual tax upon incomes shall be levied at the rate of 1 percent for all taxable periods ending on or after December 31, 2026.~~]

79:86 Returns for Interest and Dividends Taxes; 2027. Amend 2021, 91:100 to read as follows:

91:100 Returns for Interest and Dividends Taxes; [~~2027~~] ***2025***. All persons who are liable for a tax under RSA 77 as of December 31, [~~2026~~] ***2024***, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to permit the audit and collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, [~~2026~~] ***2024***, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

79:87 Application; Repeal of RSA 77. Amend 2021, 91:101 to read as follows:

91:101 Application; Repeal of RSA 77. Paragraph II of section 99 shall apply to taxable periods beginning after December 31, [~~2026~~] ***2024***.

79:88 Amend Effective Date; Amend Repeal of Interest and Dividends Tax from 2027 to 2025. Amend 2021, 91:102, II to read as follows:

II. Sections 90-100 of this act shall take effect January 1, [~~2027~~] ***2025***.

79:89 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after hearing, impose a civil penalty not to exceed $2,500, as determined by the commissioner, for any violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-C, and RSA 282-A. All moneys collected under this section shall be deposited [~~in the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

79:90 Workers' Compensation; Liability of Employer Failing to Comply. Amend RSA 281-A:7, I(b) to read as follows:

(b) An insurance carrier which insures an employer and fails to file with the commissioner a notice of coverage within a reasonable period of time as prescribed by rule shall be assessed a civil penalty of up to $50 for each day of noncompliance. The commissioner shall deposit all moneys collected under this subparagraph [~~with the state treasurer for deposit into the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

79:91 Occupational Health and Safety Administration Certification. Amend RSA 277:5-a, III to read as follows:

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation and enforcement of this section. The commissioner may also assess a civil penalty of up to $2,500; in addition, such an employer shall be assessed a civil penalty of $100 per employee for each day of

noncompliance. All funds collected under this section shall be deposited into the [~~general fund~~] ***department of labor restricted fund established in RSA 273:1-b.*** The labor commissioner shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.

79:92 Penalty Appeal Board. Amend RSA 273:11-b to read as follows:

273:11-b Penalty Appeal Board.

I. There is hereby created a penalty appeal board which shall hear appeals from penalties imposed by the commissioner.

II. The board shall be composed of 3 members, as follows:

(a) One person representing the interests of management, to be appointed by the governor and council;

(b) One person representing the interests of labor, to be appointed by the governor and council; and

(c) One person to serve as chairman, who shall be an attorney and who shall be familiar with the labor laws of this state. The chairman shall be [~~chosen and~~] appointed [~~jointly~~] by ***the governor and council*** [~~the other 2 members of the board; provided, however, that, if such members are unable to agree on the appointment of the chairman within 30 days after the later of their appointments, the governor and council shall appoint the chairman~~].

III. At the time of making appointments pursuant to paragraph II, the governor and council [~~or 2 appointing members of the board, as applicable,~~] shall also appoint an alternate member representing the interests of management, an alternate member representing the interests of labor and an alternate chairman, who shall serve whenever the corresponding member of the board is unable, because of a conflict of interest or otherwise, to participate in the determination of a matter before the board.

IV. Members and alternate members shall be appointed for terms of 3 years and shall serve until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms. [~~Members and alternate members shall serve without compensation but shall receive mileage at the same rate paid to state employees.~~]

V. The attorney member of the board shall receive $400 per diem and all other members of the board shall each receive $250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.

79:93 Family and Medical Leave Insurance. Amend RSA 275:37-d to read as follows:

275:37-d Family and Medical Leave Insurance. If an employer has 50 or more employees and sponsors family and medical leave insurance pursuant to RSA 21-I:99, then any employee of that employer who takes family or medical leave and accesses wage replacement benefits under such

family and medical leave insurance coverage shall be restored to the position she or he held prior to such leave or to an equivalent position by her or his employer consistent with the job restoration provisions of the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section 2601 et seq. Such employers shall continue to provide health insurance to employees during the leave. However, employees shall remain responsible for any employee-shared costs associated with the health insurance benefits. Such employers shall not discriminate or retaliate against any employee for accessing family or medical leave wage replacement benefits. Employers of employees participating in the granite state paid family leave plan may require that paid leave taken under this program be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or other established employer policy or the Family and Medical Leave Act, as applicable. ***In addition, the commissioner may adopt rules under RSA 541-A to facilitate administration and enforcement of this section.***

79:94 Boiler and Pressure Vessels; Exceptions. Amend RSA 157-A:6, III(e) to read as follows:

(e) Pressure vessels that do not exceed (1) 5 cubic feet in volume [~~or~~] ***and*** 250 psig, (2) 1 1/2 cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

79:95 Workers' Compensation; Appeals Board. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. ***Until January 1, 2024,*** the board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. ***On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total.*** Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board

member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

79:96 Department of Transportation; Appeals Board. Amend RSA 21-L:14, I to read as follows:

I. There is established an appeals board consisting of 3 members. One member shall be a registered professional engineer, one member shall be a person admitted to the practice of law in this state, and one member shall be a person skilled in the field of public works and construction who shall represent the general public. There shall be 2 alternate board members, who shall meet at least one of the qualification categories set forth for board members. Each board member and alternate board member shall be appointed by the governor with the consent of the council to a term of 3 years, [~~provided that of the initial members appointed under this section one member shall be appointed to a term of one year, one member to a term of 2 years, and one member to a term of 3 years. Vacancies shall be filled in a like manner for the unexpired term~~] ***or until a successor is appointed and qualified, whichever is later***. The governor shall designate one member to serve as board chairman, and the board shall elect one member to serve as vice-chairman. In the event of illness or disqualification of a member as set forth in RSA 673:14, the chairman shall designate an alternate member to act in his ***or her*** place.

79:97 Appeals Board; Powers and Duties. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8[~~, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16~~].

79:98 Repeal. RSA 21-L:16, relative to the railroad appeals board, is repealed.

79:99 New Paragraph; Weight; Permit Fees. Amend RSA 266:22 by inserting after paragraph V the following new paragraph:

VI. There is hereby established an over-length, over-width, over-height, and over-weight revolving fund from revenue received under this section. All revenue received by the department of transportation for permit fees shall be credited to the fund and are hereby appropriated to the

department of transportation. Funds shall be nonlapsing and continually appropriated for the operation and administration of the permit section at the department.

79:100 New Subparagraph; Application of Receipts; Over-length, Over-width, Over-height, and Over-weight Revolving Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the over-length, over-width, over-height, and over-weight revolving fund under RSA 266:22.

79:101 Highway Surveillance Prohibited. Amend RSA 236:130, III(f) to read as follows:

(f) Is undertaken for the security of the following bridges and approach structures: I-95 Piscataqua River Bridge, Sarah Mildred Long Bridge, and the Memorial Bridge, all in Portsmouth, ***as well as the Little Bay Bridges in Dover and Newington***.

79:102 New Subparagraph; Local Option; Prime Wetlands. Amend RSA 482-A:11, IV by inserting after subparagraph (c) the following new subparagraph:

(d) Department of transportation impacts associated with maintenance projects within the limits of existing rights of way and/or permanent easements shall not be subject to the hearing requirements, nor to provide mitigation, provided the project otherwise adheres to the requirements of RSA 482-A:11, IV(a). The issuance of permits for such projects shall not require prior notification of the conservation commission or local governing body.

79:103 Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. Amend RSA 228:31-a to read as follows:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of ***RSA 4:39-c and*** RSA 4:40 shall not apply to this section.

79:104 State Highways; Notice of Finding. Amend RSA 230:55 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes for property acquired by the state in 1945 or earlier, the commissioner shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. Notwithstanding any provision of

law to the contrary, the commissioner may discontinue ***any right-of-way, or portion thereof, that was laid out by the state*** and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA [~~4:39~~] ***4:39-c***.

79:105 New Paragraph; New Hampshire Aeronautics Act; Revenue; Fees. Amend RSA 422:31 by inserting after paragraph IX the following new paragraph:

X. A credit card use convenience fee may be charged in addition to the required aircraft operating fee for each transaction, which the department is authorized to use towards the credit card fees incurred.

79:106 Turnpike System; Toll Criteria. Amend RSA 237:11, V to read as follows:

V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the New Hampshire turnpikes in the system for vehicles listed on a ***funded*** New Hampshire E-Z Pass account and using the regional electronic toll collection system with a ***working and properly mounted*** New Hampshire E-Z Pass transponder shall be 30 percent for passenger vehicles, including motorcycles, and 10 percent for commercial vehicles.

79:107 Statewide Transportation Improvement Program. Amend RSA 228:99 to read as follows:

228:99 Statewide Transportation Improvement Program (STIP). The governor shall develop a statewide transportation improvement program as required by 23 U.S.C. sections 134 and 135, as amended. The governor shall revise and update the program every 2 years. Adoption of the STIP and revised STIP shall be as follows:

I. Each metropolitan planning organization and rural regional planning commission shall reach agreement with the department of transportation relative to funding unified planning work programs consistent with 23 U.S.C. sections 134 and 135 no later than December 1 of each even-numbered year. Each metropolitan planning organization and rural regional planning commission shall provide a regional transportation improvement program (TIP) ***priorities*** to the department of transportation no later than April 1 of each odd-numbered year. Such plans shall include [~~a~~] public involvement [~~plan~~] and education [~~initiative~~] to ensure early and adequate input from residents, municipalities and any other interested parties in New Hampshire.

II. The commissioner shall submit the tentative STIP in accordance with the state planning process as required in 23 U.S.C. section 135 to the governor's advisory commission on intermodal transportation no later than [~~July~~] ***September*** 1 of each odd-numbered year.

III. The governor's advisory commission on intermodal transportation shall conduct at least one public hearing in each executive council district to present the tentative STIP to the public and to receive the public's comments and recommendations regarding the program. The governor's advisory commission on intermodal transportation shall submit such program along with the commission's recommendations to the governor no later than December 1 of each odd-numbered year. Each metropolitan planning organization and rural regional planning commission should conduct an informational meeting after the commission submits its recommendations to receive the

public's final comments and recommendations regarding the proposed programs before adoption by the governor.

IV. The governor shall submit the STIP to the general court to be acted on no later than January 15 of each even-numbered year. [~~After an enactment~~] ***The STIP shall be enacted*** by the general court [~~of the STIP or~~] by June 1 of each even-numbered year[~~, whichever is earlier, each metropolitan planning organization and rural regional planning commission should continue its public involvement program by conducting at least one informational meeting concerning the STIP~~].

V. Each metropolitan planning organization and the department of transportation shall continue its public involvement program by conducting public comment periods and public hearings as required by 23 U.S.C. sections 134 and 135, as amended for the regional TIP and statewide STIP.

VI. Each metropolitan planning organization shall approve the regional TIP and the department of transportation shall incorporate the TIPs into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

VII. Three times per year, the STIP and TIPs shall be amended to make adjustments to projects whose scopes, schedules or budgets need to be adjusted. The department of transportation will prepare and release STIP/TIP amendments to the metropolitan planning organizations and rural regional planning commissions.

VIII. The metropolitan planning organizations shall have 60 days from the receipt of each amendment to prepare, receive public comments, approve and transmit the updated TIPs to the department of transportation. The department of transportation shall incorporate the TIP amendments into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

79:108 Unclaimed and Abandoned Property; Subsequent Claims. Amend RSA 471-C:31-a to read as follows:

471-C:31-a Subsequent Claims. For periods after January 1, 1985, any owner who comes forward to make a claim for assets which have escheated to the state ***or counties*** may petition [~~the governor and council~~] for payment of those assets. Upon [~~providing~~] ***receiving*** sufficient proof of the validity of such owner claim [~~and receiving the approval of governor and council~~], the administrator shall pay such claim to the owner in accordance with the provisions of this chapter. ***For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.***

79:109 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2025.

79:110 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) The [~~department of environmental services and the~~] department of energy shall submit a report to the house science, technology, and energy committee, and the senate energy and natural resources committee by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

79:111 Disclosure of Electric Service Energy Sources and Environmental Characteristics. Amend RSA 378:49, II(c) to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with billing, whether distributed through the mail or online, or other mailed or online communication to customers, as approved by the [~~commission~~] ***department***, including the [~~commission's~~] ***department's*** estimated cost on a per kilowatt-hour basis for compliance with the electric renewable portfolio standard under RSA 362-F for the prior compliance year. The estimated cost for the compliance year shall be calculated once per year and provided in the customer's December bill, whether distributed through the mail or online. Each customer's bill shall identify the cost as an estimate and provide a link to information about the electric renewable portfolio standard, including its benefits, at the [~~public utilities commission's~~] ***department's*** website. The costs for a utility to provide this information shall be recovered from electric customers through the distribution rates of the respective electric distribution utility.

79:112 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives ***and offshore wind initiatives, including the office of offshore wind industry development***. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

79:113 Information Collection. Amend RSA 362-F:8, I to read as follows:

I. [~~By July 1~~] ***No earlier than July 1 and no later than July 15*** of each year, each provider of electricity shall submit a report to the department of energy, in a form approved by the department of energy, documenting its compliance with the requirements of this chapter for the prior year. The department of energy may investigate compliance and collect any information necessary to verify and audit the information provided to the department of energy by providers of electricity.

79:114 Phase-In for Existing Supply Contract Load. Amend RSA 362-F:14 to read as follows:

362-F:14 Phase-In for Existing Supply Contract Load. The increases in the annual purchase percentages in RSA 362-F:3 as compared to those in effect as of January 1, 2012 shall apply to the electrical load under any electrical power supply contracts for a term of years entered into by providers of electricity prior to or on July 1, 2012, upon the expiration of the term of any such contract. Providers of electricity shall inform the department of energy [~~by July 1~~] ***no earlier than July 1 and no later than July 15*** of each year of all such contracts and their terms, including, but not limited to the execution date and expiration date of the contract and the annual volume of electrical energy supplied.

79:115 Duties of Commissioner; Department of Energy. Amend RSA 12-P:5, VI to read as follows:

VI. Collect and account for all fees, funds, taxes, or assessments levied upon any person subject to the jurisdiction of the department of energy and the public utilities commission. ***Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the department of energy, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the department of energy, may authorize an additional assessment pursuant to RSA 363-A for such purpose.***

79:116 Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(d) to read as follows:

(d) [~~Two~~] ***Three*** additional staff people appointed by the consumer advocate. When filling these positions, the consumer advocate should consider appointing rate analysts or economists.

79:117 New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the office of the consumer advocate, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the consumer advocate, may authorize an additional assessment pursuant to RSA 363-A for such purpose.

79:118 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes

within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these classes into class 046 consultants and class 233 litigation provided that any such transfers shall be limited to $75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

79:119 Public Utilities; Assessment. Amend the introductory paragraph of RSA 363-A:2, I to read as follows:

I. The expenses thus ascertained shall be assessed against the public utilities and other entities described in this section in the manner provided in this chapter. The assessment shall be calculated by using the following revenue percentages***, based on the prior calendar year***:

79:120 Public Utilities; Certification of Assessment. Amend RSA 363-A:3 to read as follows:

363-A:3 Certification of Assessment. It shall be the duty of the department of energy to calculate the amount to be assessed against each such public utility and each other entity subject to assessment in accordance with RSA 363-A:1 and RSA 363-A:2. At the beginning of each fiscal year, the department of energy shall estimate the total expenses for the fiscal year, and then, based on such estimate, shall calculate the amount to be assessed quarterly on [~~August 10, October 15, January 15~~] ***September 15, November 15, February 15***, and April 15 of that fiscal year[~~, against each such public utility and other assessed entity in accordance with RSA 363-A:1 and RSA 363-A:2~~]. ***For entities with assessments less than $10,000, the department may bill those entities the entire amount on September 15 of that fiscal year.*** The department of energy shall then make a list showing the amount [~~due on August 10, October 15, January 15~~] ***assessed September 15, November 15, February 15***, and April 15 of that fiscal year [~~from~~] ***to*** each of the several public utilities and other entities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility and other assessed entity, shall certify the same. After the close of each fiscal year, the department of energy shall ascertain the actual total expenses in accordance with RSA 363-A:1 and RSA 363-A:2, and then shall adjust the assessment for the first [~~quarterly~~] ***or only*** payment of the new fiscal year for each such public utility or other assessed entity for any underpayment or overpayment by each such public utility or other assessed entity for the prior fiscal year.

79:121 Expenses of Public Utilities Commission; Collections. Amend RSA 363-A:4 to read as follows:

363-A:4 Collection. Upon the completion of each such list, [~~on or before August 10, October 10, January 10, and April 10~~] ***within 10 business days of September 15, November 15, February 15, and April 15*** of each fiscal year, the department of energy shall bill each public utility and each other entity subject to assessment [~~for the quarterly amount assessed against it within 10 working days~~]. Such bill shall be sent [~~registered~~] ***first-class or electronic*** mail, and shall constitute notice

of assessment and demand for payment. Payment shall be made to the department of energy [~~within 30 days after the receipt of the bill. After the expiration of 30 days from the receipt of an original bill,~~] ***by the due date stated on the bill, which shall be set no sooner than 30 days after the date the bill is sent. If payment is not made by the due date,*** the department of energy may add to the assessment a late penalty fee and may commence an action at law for the recovery of the assessment. Within 30 days of the ***date that the bill*** assessment for the first [~~quarterly~~] ***or only*** payment ***is sent***, each public utility or other assessed entity which has any objection to the amount assessed against it for the prior fiscal year shall file with the department its objection in writing, setting out in detail the grounds upon which it is claimed that said assessment is excessive, erroneous, unlawful, or invalid. If such objections are filed, the department, after reasonable notice to the objecting public utility or other assessed entity, shall hold a hearing on such objections, and if the department finds that said assessment or any part thereof is excessive, erroneous, unlawful, or invalid, the department shall reassess the amount to be paid by such public utility or other assessed entity, and shall order that an amended bill be sent to such public utility or other assessed entity in accordance with such reassessment. The department of energy shall not commence an action at law for recovery of any assessment for the first [~~quarterly~~] ***or only*** payment until any such objection has been resolved.

79:122 Expenses of Public Utilities Commission; Exemption from Assessment. Amend RSA 363-A:5 to read as follows:

363-A:5 Exemption From Assessment. Any public utility or other assessed entity that is not an entity to which RSA 363-A:2, I(c) or (d) applies, and that earned less than $10,000 in gross revenue during the preceding [~~fiscal~~] ***calendar*** year shall not be liable for any assessment pursuant to this chapter.

79:123 Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy Fund. There is hereby appropriated to the department of energy the sum of $250,000 for the fiscal year ending June 30, 2023 to be placed in a regional energy advocacy fund. This fund shall be nonlapsing and continually appropriated to the department to be expended to hire consultants and attorneys and related expenses to support the regional advocacy issues specified in RSA 374-F:8. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:124 Effective Date. Section 123 of this act shall take effect June 30, 2023.

79:125 Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel. Amend RSA 12-P:4 to read as follows:

12-P:4 Commissioner; Deputy Commissioner; Directors***; General Counsel***.

I. The commissioner of the department of energy shall be appointed by the governor, with the consent of the council, and shall serve for a term of 4 years. The commissioner shall be qualified to hold that position by reason of education and experience. Directors of departmental divisions ***and***

the general counsel shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to establish any advisory committees and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

II. The commissioner of energy shall nominate a deputy commissioner of energy for appointment by the governor and council. The deputy commissioner shall hold office for 4 years and until a successor has been appointed and qualified. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as the commissioner may assign. The deputy commissioner shall perform the duties of the commissioner if for any reason the commissioner is unable to do so.

III. Division directors shall be appointed to initial terms as stated below, and then subsequently to terms of 4 years. Terms notwithstanding, each division director shall serve until a successor has been appointed and qualified.

III-a. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commissioner may authorize.

(a) The commissioner shall nominate for appointment by the governor and council a director of the division of policy and programs for an initial term of one year. All subsequent terms shall be 4 years. The director of the division of policy and programs shall be qualified to hold that position by reason of education and experience.

(b) The commissioner shall nominate for appointment by the governor and council a director of the division of administration for an initial term of 2 years. All subsequent terms shall be 4 years. The director of the division of administration shall be qualified to hold that position by reason of education and experience.

(c) The commissioner shall nominate for appointment by the governor and council a director of the division of enforcement for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of enforcement shall be qualified to hold that position by reason of education and experience.

(d) The commissioner shall nominate for appointment by the governor and council a director of the division of regulatory support for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of regulatory support shall be qualified to hold that position by reason of education and experience.

IV. The salaries of the commissioner, the deputy commissioner, and each division director shall be as specified in RSA 94:1-a.

79:126 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15 to read as follows:

260:15 Copies of Certificates and Motor Vehicle Records.

I. The department may issue a certified copy of any certificate of registration, or of any license to drive motor vehicles which may have been lost or mutilated, upon the written request of the person entitled thereto and the payment of the prescribed fee, and such certified copy shall have the same force and effect as the original.

II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee of [~~$13 for email or other computer-generated requests where payment is debited against an account established with the department, or $15 for all other requests~~] ***$17***, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

79:127 New Paragraph; Motor Vehicles; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding any law to the contrary, the department may provide driver history records to a federal entity for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14, V.

79:128 Department of Safety; Appropriation; Position Created. There is hereby established in the department of safety, division of fire safety, one full-time classified program assistant II position. The sum of $72,000 for the fiscal year ending June 30, 2024 and $74,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the division of fire safety. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:129 Department of Safety; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

79:130 Department of Safety; Transfer Funds and Establish Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may create full-time temporary positions for any positions on military deployment and transfer funds from class 010 into class 059 with approval from the department of administrative services.

79:131 Department of Safety; Substance Abuse Enforcement Program; Appropriations.

I. The sum of $408,297 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety. This sum shall be expended as follows:

(a) $119,217 shall be expended for the purpose of funding overtime at the state forensic laboratory as a result of increased caseloads attributable to narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

(b) $289,080 shall be expended for the purpose of funding overtime at the state police for

narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

II. The sum of $833,684 for the fiscal year ending June 30, 2024 and $833,684 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. No appropriation made in this section shall lapse until June 30, 2025.

79:132 Public Safety and Welfare; Definitions; Emergency Medical Care Provider. Amend RSA 153-A:2, V to read as follows:

V. "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols, or New Hampshire fish and game department conservation officers, ***or those individuals administering Naloxone*** unless said individuals are performing invasive patient care procedures.

79:133 Public Safety and Welfare; Licensure of Emergency Medical Care Providers. Amend RSA 153-A:11, I to read as follows:

I. Except for automated external defibrillation pursuant to RSA 153-A:28-31, ***or the administration of Naloxone,*** a person shall not provide emergency medical services as a paid or volunteer member of a public or private emergency medical services unit in this state, or as a paid or volunteer member of any police or fire department who, as a condition of employment, may be expected to routinely provide emergency medical services in the line of duty, without being licensed by the commissioner.

79:134 Department of Safety; Appropriation; State and Local Cybersecurity Grant Program. The sum of $1,255,500 for the fiscal year ending June 30, 2024 and the sum of $1,614,215 for the fiscal year ending June 30, 2025 are hereby appropriated to the commissioner of the department of safety for the state and local cybersecurity grant program. Such funds shall be nonlapsing and continually appropriated to the commissioner of the department. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:135 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of $3,510,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 52 state police cruisers. This appropriation shall not lapse until June 30, 2025, provided that any unexpended amount following the purchases shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise

appropriated.

79:136 Effective Date. Section 135 of this act shall take effect June 30, 2023.

79:137 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56-560040-3043, class line 652, for education freedom accounts, shall be reduced by $10,000,000 for the fiscal year ending June 30, 2024, and by $10,000,000 for the fiscal year ending June 30, 2025. The department shall report to the fiscal committees of the general court on such reductions.

79:138 Education Trust Fund Created and Invested. RSA 198:39 is repealed and reenacted to read as follows:

198:39 Education Trust Fund Created and Invested.

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than:

(a) To distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42.

(b) To distribute grants to municipalities school districts and to approved chartered public schools pursuant to RSA 194-B:11.

(c) To distribute kindergarten grants to municipalities' and school districts pursuant to RSA 198:48-c.

(d) To provide low and moderate income homeowners property tax relief under RSA 198:56-198:61.

(e) To distribute funds to scholarship organizations approved under RSA 77-G, that administer and implement RSA 194-F.

(f) To distribute phase-out grants to school districts under RSA 194-F:10.

(g) To fund costs necessary to provide the statewide assessment program required under RSA 193-C.

(h) To fund department of education operating costs for a state student data collection and reporting system, within budgeted appropriations.

(i) To fund department of education costs for administering programs funded by the education trust fund, within budgeted appropriations, plus any additional funding authorized pursuant to paragraph III.

(j) To distribute school building aid to school districts pursuant to RSA 198:15-b.

(k) To distribute tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9.

(l) To distribute special education aid to school districts pursuant to RSA 186-C:18.

(m) To distribute payments to education service providers on behalf of school districts for children with disabilities in certain court ordered placements or placements for an episode of treatment pursuant to RSA 186-C:19-b.

(n) To distribute grants for leased space to approved chartered public schools pursuant to RSA 198:15-hh.

II. The state treasurer shall deposit into the education trust fund immediately upon receipt:

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

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

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

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

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

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

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

(h) Tobacco settlement funds in the amount of $40,000,000 or, for any year in which the total tobacco settlement funds received by the state is less than $40,000,000, the total amount of tobacco settlement funds received by the state.

(i) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4 which were apportioned to school districts in the property tax rate calculations in 1998.

(j) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.

(k) Any other moneys appropriated from the general fund.

III. If required expenditures to administer programs funded by the education trust fund, pursuant to paragraph I, exceed amounts appropriated, the commissioner of education may request the fiscal committee of the general court authorize additional funding. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

IV. The education trust fund shall be nonlapsing. The state treasurer shall invest that part of the fund which is not needed for immediate distribution in short-term interest-bearing investments. The income from these investments shall be returned to the fund.

79:139 New Paragraph; Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Episode of Treatment. Amend RSA 193:27 by inserting after paragraph VI the following new paragraph:

VII. "Episode of treatment" means when a child needs to be placed by the department of health and human services (DHHS) in a DHHS-contracted and/or certified program to receive more intensive treatment and supports and has the objective of helping children in crisis avoid or reduce the use of psychiatric hospitals or emergency rooms.

79:140 Court Ordered Placements; Purpose and Application of Chapter. Amend RSA 169-F:1 to read as follows:

169-F:1 Purpose and Application of Chapter. This chapter shall apply to any court ordered placement ***or placement for an episode of treatment as defined in RSA 193:27, VII,*** of any minor pursuant to RSA 169-B or any child pursuant to RSA 169-C or RSA 169-D, for the purposes of the effective implementation of any such placement.

79:141 Special Education; State Aid. Amend RSA 186-C:18, III(a) to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements ***and episodes of treatment*** under RSA 186-C:19-b. The state may designate up to $250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional $250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

79:142 New Paragraph; Special Education; State Aid; Rulemaking by State Board of Education. Amend RSA 186-C:18,V by inserting after subparagraph (f) the following new subparagraph:

(g) Administering and distributing payment for episode of treatment costs as defined in

RSA 193:27, VII.

79:143 Liability for Children with Disabilities in Certain Court Ordered Placements. Amend RSA 186-C:19-b to read as follows:

186-C:19-b Liability for Children With Disabilities in Certain Court Ordered Placements.

I.(a) As used in this section "children in placement for which the department of health and human services has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, 169-C, or 169-D, except children at the youth development center and children placed at the youth services center maintained by the department of health and human services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

(b) In the case of an out-of-district placement ***or placement for an episode of treatment***, the appropriate court shall notify the department of education on the date that the court order is signed, ***or the need for an episode of treatment is determined,*** stating the initial length of time for which such placement is made. This subparagraph shall apply to the original order ***or determination*** and all subsequent modifications of that order ***or determination***.

II. The school district liability for expenses for special education or for special education and related services for a child with a disability in placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.

(a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the department of education. Costs for which the department of education is liable under this section shall be paid to education service providers by the department of education. The department of education shall develop a mechanism for allocating the funds appropriated for the purposes of this section. ***Any costs of special education or special education and related services related to an episode of treatment and the determination of placement by the department of health and human services shall be covered in full for students with disabilities by the department of education.***

(b) The department of health and human services shall be liable for all court-ordered ***and episode of treatment*** costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.

(c) The department of education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall

submit education service providers costs to the department within 30 days of receipt of such costs. The department shall then verify the cost and distribute the appropriate amounts to the education service provider.

III. The department of education shall by rules adopted under RSA 541-A establish the rates charged by education service providers to the department of education or to school districts for children with disabilities in placement for which the department of health and human services has financial responsibility.

IV. The department of education is authorized to receive and take appropriate action on complaints regarding the failure to provide necessary special education or special education and related services to children with disabilities in placement for which the department of health and human services has financial responsibility.

V. [~~All appropriations made for the purposes of funding court-ordered placements shall be nonlapsing.~~] ***If the total amount required for court ordered placements or placements for an episode of treatment exceeds the amount appropriated to the department for such payments, the governor is authorized to draw a warrant from the education trust fund for such sum to satisfy the state's obligation under this section.***

79:144 Appropriation; Court Ordered Placements. There is hereby appropriated the sum of $9,200,000 from the education trust fund under RSA 198:39, in the fiscal year ending June 30, 2023, to the department of education for the purpose of paying costs associated with placements for an episode of treatment under RSA 186-C:19-b. This appropriation shall not lapse.

79:145 Effective Date. Section 144 of this act shall take effect June 30, 2023.

79:146 Education; Funding for Renovation and Expansion; CTE. Amend RSA 188-E:10 to read as follows:

188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional career and technical education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the construction, renovation, expansion, or replacement of qualified regional career and technical education centers or regional career and technical education programs authorized in the [~~capital~~] budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state [~~capital project~~] authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a [~~capital~~] budget request a priority list of facilities and programs eligible for construction, renovation, expansion, or replacement provided that priority shall be given to programs that have been certified

by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the [~~capital~~] budget procedure [~~pursuant to RSA 9:3-a~~], provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for [~~capital~~] appropriation [~~under RSA 9:3-a~~] unless directed by the priority list of the department of education;

(d) Each school district requesting funds from the department of education establishes and funds a construction, renovation, expansion, and replacement reserve fund, which shall be used by the school district to pay construction, renovation, expansion, and replacement costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(4) Allows for matriculation into a postsecondary venue.

(5) Meets all industry and building standards.

(6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, career and technical education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the [~~capital~~] budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A.

79:147 Department of Education; Appropriation; CTE Renovation Projects; Sugar River Valley Regional Technical Center. Notwithstanding the provisions of RSA 198:39, I, the department of education shall be appropriated $12,514,533 in the fiscal year ending June 30, 2023, from the education trust fund for career and technical education renovation projects. Such funding shall be

nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. Any unexpended funds after the completion of the project shall be returned to the education trust fund. Such funds shall be expended to renovate the Sugar River Valley Regional Technical Center in Newport.

79:148 Appropriation. Department of Education; Winnisquam Regional CTE Renovation Project; Contingency for HB 25 Funding.

I. For the fiscal year ending June 30, 2023, the department of education is appropriated $7,649,663 from the education trust fund for the purpose of the Winnisquam regional career and technical education renovation project. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. The appropriation shall be nonlapsing and any unexpended funds after the completion of the project shall be returned to the education trust fund.

II. If HB 25-A of the 2023 regular session becomes law, the appropriation for the approved Winnisquam regional career and technical education renovation project section 1, paragraph III, of HB 25 shall not take effect, and shall be replaced by the funding in paragraph I of this section. The amount of such appropriation shall be deducted from the total of capital appropriations in section 1 of HB 25 and from the total authorized bonded amount in section 5 of HB 25.

79:149 Effective Date. Sections 147 and 148 of this act shall take effect June 30, 2023.

79:150 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, [~~2015~~] ***2023***, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d.

II.(a) A cost of [~~$3,561.27~~] ***$4,100*** per pupil in the ADMR, plus differentiated aid as follows:

(b) An additional [~~$1,780.63~~] ***$2,300*** for each pupil in the ADMR who is eligible for a free or reduced price meal anytime during the determination year; plus

(c) An additional [~~$697.77~~] ***$800*** for each pupil in the ADMR who is an English language learner anytime during the determination year; plus

(d) An additional [~~$1,915.86~~] ***$2,100*** for each pupil in the ADMR who is receiving special education services anytime during the determination year[~~; plus~~

~~(e) An additional $697.77 for each third grade pupil in the ADMR with a score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6 or the authorized, locally administered assessment as provided in RSA 193-C:3, IV(i), provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d). A school district receiving aid under this subparagraph shall annually provide to the department of~~

~~education documentation demonstrating that the district has implemented an instructional program to improve non-proficient pupil reading~~].

III. The sum total calculated under paragraph II shall be the cost of an adequate education. The department shall determine the cost of an adequate education for each municipality based on the ADMR of pupils who reside in that municipality.

79:151 Annual Adjustment; Relief Funding. RSA 198:40-d is repealed and reenacted to read as follows:

198:40-d Annual Adjustment. Beginning July 1, 2024 and every year thereafter, the department of education shall adjust the following with an increase of 2 percent annually:

I. Per pupil costs in RSA 198:40-a, II;

II. Extraordinary need grant "grant floor," "grant ceiling," "factor," and "max grant" as defined in RSA 198:40-f, II, (a)-(d); and

III. Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

79:152 Repeal. RSA 198:40-e, relative to relief funding, is repealed.

79:153 Extraordinary Need Grants; 2023. Amend RSA 198:40-f to read as follows:

198:40-f Extraordinary Need Grants.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,000,000~~] ***$1,600,000*** or less shall receive [~~$650~~] ***$8,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,000,001~~] ***$1,600,001*** and [~~$5,999,999~~] ***$6,599,999*** shall receive a grant equal to [~~$0.00013~~] ***$0.0017*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,000,000~~] ***$6,600,000***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,000,000~~] ***$6,600,000*** or more shall not receive an extraordinary need grant.

II. [~~In order to receive an extraordinary need grant, the eligible school district shall provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. The extraordinary need grant plan shall include an accountability component designed to generate data that measures student academic achievement and growth of knowledge and skills in reading and language arts and/or mathematics at what grade levels funds will be used. The school district shall develop and administer its own grant accountability assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning, or use the statewide assessment.~~

~~The school district shall submit to the department an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets. The primary goal of this grant is to improve student achievement and growth and to help the school district to have funding for successful, best practice student learning approaches.~~] ***In this section:***

(a) The $1,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The $6,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The $0.0017 for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The $8,500 per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

III. Extraordinary need grants shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation per pupil eligible to receive a free or reduced-price meal" means a municipality's equalized valuation[~~, excluding properties subject to taxation under RSA 82 and equalized payments in lieu of taxes,~~] as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMR in the determination year eligible to receive a free or reduced-price meal.

79:154 Extraordinary Need Grants; 2025. Amend RSA 198:40-f, I and II to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,600,000~~] ***$1,664,640*** or less shall receive [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,600,001~~] ***$1,664,641*** and [~~$6,599,999~~] ***$6,866,639*** shall receive a grant equal to [~~$0.00170~~] ***$0.00221*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,600,000~~] ***$6,866,640***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,600,000~~] ***$6,866,640*** or more shall not receive an extraordinary need grant.

II. In this section:

(a) The [~~$1,600,000~~] ***$1,664,640*** in equalized valuation per free or reduced-price meal

pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The [~~$6,600,000~~] ***$6,866,640*** in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The [~~$0.00060~~] ***$0.00221*** for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

79:155 Effective Date. Section 154 shall take effect on July 1, 2025.

79:156 Determination of Education Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of Education Grants.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; and

(c) [~~[Repealed.]~~

~~(d) Add the municipality's additional aid for relief funding pursuant to RSA 198:40-e.~~

~~(e)~~] Add the municipality's extraordinary need grant pursuant to RSA 198:40-f.

~~[II. For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for each municipality as the lesser of the 2 following calculations:~~

~~(a) The amount calculated in accordance with paragraph I of this section; or~~

~~(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year.~~

~~III.(a) For the biennium ending June 30, 2013, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant in the second year of the previous biennium.~~

~~(b) [Repealed.]~~

~~IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to~~

~~100 percent of the decrease.~~

~~(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.~~

~~(c) For fiscal year 2014 through fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.~~

~~(d) For fiscal year 2024 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMR is zero.~~]

II. For fiscal year 2024 and fiscal year 2025, the department of education shall distribute a hold harmless grant equal to any amount in which a municipality's adequacy grant is less than 104 percent of the fiscal year 2024 preliminary estimate for the adequacy grant as of November 15, 2022. No municipality with a current adequacy grant amount that exceeds the fiscal year 2024 preliminary estimate shall receive a hold harmless grant. No hold harmless grant shall be distributed to any municipality in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education.

III. Beginning in fiscal year 2026, the hold harmless grant calculated under paragraph II shall decrease as a percent of the amount awarded under the following schedule:

(1) 80 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2026 and fiscal year 2027.

(2) 60 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2028 and fiscal year 2029.

(3) 40 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2030 and fiscal year 2031.

(4) 20 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2032 and fiscal year 2033.

(5) No hold harmless grant shall be awarded for fiscal year 2034 and each year thereafter.

[~~V.~~] ***IV.*** The department shall use the best available data and methods to estimate ADMR and education grants by November 15 of the year preceding the school year for which aid is determined.

[~~VI.~~] ***V.*** The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] ***IV.*** The commissioner of the department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

[~~VII.~~] ***VI.*** When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] ***IV.*** The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

[~~VIII.~~] ***VII.*** Reports of grant determinations for municipalities required pursuant to paragraphs [~~V-VII~~] ***IV- VI*** shall be available to the public by the date specified in paragraphs [~~V-VII~~] ***IV- VI***, and the department shall make available a report for multi-town school districts and municipalities with multiple school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

79:157 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1)(A) to read as follows:

(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of [~~$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and $3,411 to all chartered public schools for the fiscal year ending June 30, 2019~~] ***$4,900 to all chartered public schools for the fiscal year ending June 30, 2024*** and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in the chartered public school's ADMA. Beginning July 1, [~~2017~~] ***2024*** and every [~~biennium~~] ***fiscal year*** thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor~~]

pursuant to RSA 198:40-d. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e), plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the chartered public school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition amounts pursuant to RSA 198:40-a, II(a) plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed~~] ***pursuant to RSA 198:40-d***.

79:158 Repeal; Third Grade Reading Accountability. RSA 193-C:3, IV(i), relative to grade 3 statewide education improvement and assessment program data, is repealed.

79:159 State Maintenance of Equity. Amend 2021, 91:58, III to read as follows:

III. Any state aid distributed under this section shall be an education grant in addition to the state grant calculated under RSA 198:41 ***and RSA 194-B:11*** and shall be distributed to school districts ***and chartered public schools*** accordingly. Depending on how the United States Department of Education allows states to define "pupil" as it relates to determining state aid per pupil under Section 2004(b) of the American Rescue Plan Act of 2021, the department of education may experience delays in accurately collecting pupil data to meet the definition as defined by the United States Department of Education, thereby delaying the calculation of the grant award. If such delay occurs, the department of education may issue the grants described in this section up to 120 days after the end of the applicable fiscal year being assessed for compliance with federal law.

79:160 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a, II-a(c) to read as follows:

(c) The appropriations budgeted in class 027-transfers to DoIT, class 028-transfers to general services, ***class 040-indirect costs,*** class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, [~~and~~] class 064-retiree pension benefit-health insurance, ***class 210-bond insurance, and class 211-property and casualty insurance,*** shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO.

79:161 New Paragraph; Budget and Appropriations. Amend RSA 9:16-a, II-a by inserting after

subparagraph (d) the following new subparagraph:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, class-210 bond insurance, and class-211 property casualty insurance.

79:162 Medical and Surgical Benefits. Amend RSA 21-I:30, XV to read as follows:

XV. Funds appropriated for the purposes of this section shall not be transferred or used for any other purpose ***and shall be nonlapsing***.

79:163 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:

99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the [~~director of personnel~~] ***commissioner of the department of administrative services,*** subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are [~~deemed necessary to comply with RSA 98~~] ***necessary to pay any legally authorized salaries for employees in the classified system, followed by an annual informational report to the governor and council after fiscal year end.***

79:164 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, [~~subject to the approval of governor and council,~~] the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit, ***followed by an annual informational report to the governor and council after fiscal year end.*** Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for

any other use or purpose except as provided in this section.

79:165 Department of Administrative Services; State Budget Office. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

21-I:6 Budget Office. There is hereby established within the office of the commissioner of administrative services a state budget office under the supervision of an unclassified budget [~~director~~] ***officer*** who shall:

79:166 Department of Administrative Services; Planning and Design Costs. Amend RSA 21-I:85 to read as follows:

21-I:85 Planning and Design Costs. [~~The division of public works design and construction shall not perform any design and planning work for any non-general fund state agency unless the division is reimbursed for such work by the agency.~~] ***The department of administrative services shall bill state agencies for any design, planning, project management, and/or inspection work for all capital construction projects administered through the department, and for any operating projects that are funded in full or in part with federal funds, agency income, or funding sources other than general funds.***

79:167 Appropriation; Department of Administrative Services; Technology Upgrades. There is hereby appropriated to the department of administrative services the sum of $7,800,000 for the fiscal year ending June 30, 2023, for the purpose of technology upgrades to ensure the sustainability of the state's financial, payroll and budgeting system. The sum appropriated shall be nonlapsing, provided that any unexpended amount following completion of the project shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:168 Effective Date. Section 167 of this act shall take effect June 30, 2023.

79:169 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph III the following new paragraph:

III-a. The commission shall elect a chairperson, vice-chairperson, and a recorder.

79:170 State Commission on Aging. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms, ***with the exception of the chairperson, vice-chairperson, and recorder, who may service an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated.*** Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. [~~Thirteen~~] ***A majority of the*** members shall constitute a quorum. If any member is absent without previously

being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

79:171 State Commission on Aging. Amend RSA 19-P:1, V to read as follows:

V. The commission shall be authorized to select and hire select an executive director by a vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. [~~The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated.~~] The commission shall hold no fewer than 9 regular meetings per year.

79:172 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph V the following new paragraph:

VI. The commission on aging shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

79:173 New Paragraph; Duties of the State Commission on Aging. Amend RSA 19-P:2 by inserting after paragraph XIV the following new paragraph:

XV. Accepting and utilizing for its purposes, functions, and duties as set forth in this chapter public and private grants, gifts, donations, and contributions of money and other assets and properties, real and personal, of all types and kinds, without limitations.

79:174 Corrections Officers' Salaries.

I. Effective July 14, 2023, part-time corrections officers and corrections officer corporals shall be compensated in accordance with the salary schedule applicable to full-time corrections officers and corrections officer corporals.

II. Effective July 14, 2023, corrections officer majors shall be compensated in accordance with the salary schedule applicable to corrections officer lieutenants, sergeants, and captains.

79:175 Parking; Concord. The department of administrative services is authorized to spend such funding as appropriated for additional parking for full-time and part-time employees who are assigned to the downtown Concord area and who are not provided a state-provided parking space for their personal vehicle.

79:176 Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	62,406	66,467	70,557	74,618	78,679	82,740	86,830
BB	64,894	69,127	73,359	77,592	81,825	86,058	90,291
CC	67,897	72,330	76,763	81,196	85,629	90,062	94,495
DD	71,500	76,162	80,824	85,514	90,176	94,838	99,500
EE	75,705	80,652	85,629	90,577	95,524	100,472	105,449

FF	80,938	86,258	91,549	96,869	102,160	107,451	112,770
GG	87,373	93,093	98,842	104,562	110,282	116,031	121,751
HH	95,153	101,387	107,622	113,886	120,120	126,384	132,619
II	100,587	107,193	113,800	120,406	127,042	133,648	140,255
JJ	106,049	112,999	119,977	126,956	133,934	140,913	147,891
KK	108,738	115,888	123,066	130,216	137,366	144,516	151,666
LL	0	0	0	0	0	0	156,500
MM	0	0	0	0	0	0	161,791
NN	0	0	0	0	0	0	167,997
OO	0	0	0	0	0	0	175,233
PP	0	0	0	0	0	0	183,927
QQ	0	0	0	0	0	0	194,366

79:177 Salary Wages for Councilors and Commissioners; July 14, 2023. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 14, 2023:

	Maximum
Governor's councilors	$19,734
Racing and charitable gaming commissioners	$15,301
Sweepstakes commission, chairman	$22,251
Sweepstakes commission, members	$12,527

79:178 Compensation for Certain State Officers; Unclassified State Employees; July 12, 2024. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	**STEP 01**	**STEP 02**	**STEP 03**	**STEP 04**	**STEP 05**	**STEP 06**	**STEP 07**
AA	63,655	67,797	71,969	76,111	80,253	84,395	88,567
BB	66,192	70,510	74,827	79,144	83,462	87,780	92,097
CC	69,255	73,777	78,299	82,820	87,342	91,864	96,385
DD	72,930	77,686	82,441	87,225	91,980	96,735	101,490
EE	77,220	82,266	87,342	92,389	97,435	102,482	107,558
FF	82,557	87,984	93,380	98,807	104,204	109,601	115,026
GG	89,121	94,955	100,819	106,654	112,488	118,352	124,187
HH	97,057	103,415	109,775	116,164	122,523	128,912	135,272
II	102,599	109,337	116,076	122,815	129,583	136,321	143,061
JJ	108,170	115,259	122,377	129,496	136,613	143,732	150,849
KK	110,913	118,206	125,528	132,821	140,114	147,407	154,700
LL	0	0	0	0	0	0	159,630

MM	0	0	0	0	0	0	165,027
NN	0	0	0	0	0	0	171,357
OO	0	0	0	0	0	0	178,738
PP	0	0	0	0	0	0	187,606
QQ	0	0	0	0	0	0	198,254

79:179 Salary Wages for Councilors and Commissioners; July 12, 2024. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 12, 2024:

	Maximum
Governor's councilors	$20,129
Racing and charitable gaming commissioners	$15,608
Sweepstakes commission, chairman	$22,697
Sweepstakes commission, members	$12,778

79:180 Department of Justice; Attorney Salaries; July 14, 2023. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on July 14, 2023:

	Minimum	Market anchor	Maximum
	$60,778		$140,802
Attorney		$73,264	
Assistant attorney general		$99,796	
Senior assistant attorney general		$123,208	
Associate attorney general		$135,695	

79:181 Legislative Employees; July 14, 2023. Legislative employees shall receive 10 percent salary increases effective July 14, 2023, if such increases are approved by the appointing authority.

79:182 Legislative Employees; July 12, 2024. Legislative employees shall receive 2 percent salary increases effective July 12, 2024 if such increases are approved by the appointing authority.

79:183 Judicial Salaries; July 14, 2023. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$204,076
Associate justices, supreme court	$197,937
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$197,937
Associate justices, superior court	$185,638
District court justices prohibited from practice	

pursuant to RSA 502-A:21	$185,638
Probate judges prohibited from practice	
pursuant to RSA 547:2-a	$185,368

79:184 Judicial Salaries; July 12, 2024. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$208,157
Associate justices, supreme court	$201,895
Chief justice, superior court and administrative judges	
appointed pursuant to supreme court rule 54	$201,895
Associate justices, superior court	$189,350
District court justices prohibited from practice	
pursuant to RSA 502-A:21	$189,350
Probate judges prohibited from practice	
pursuant to RSA 547:2-a	$189,350

79:185 Judicial Employees; July 14, 2023. All unrepresented judicial employees shall receive 10 percent salary increases effective July 14, 2023.

79:186 Judicial Employees; July 12, 2024. All unrepresented judicial employees shall receive 2 percent salary increases effective July 12, 2024.

79:187 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 10 percent salary increases effective July 14, 2023.

79:188 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 2 percent salary increases effective July 12, 2024.

79:189 Appropriations.

I. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2024:

FY 2024

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$101,554,000	$44,900,000	$3,394,000	$16,702,000	$9,262,000	$1,826,000	$875,000	$24,595,000

II. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2025:

FY 2025

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$123,896,000	$54,778,000	$4,140,000	$20,377,000	$11,300,000	$2,228,000	$1,067,000	$30,006,000

III. The department of administrative services is authorized to make any rounding

adjustments of up to +$.01 per hour as needed to properly process the employee's payroll within the currently designed human resources/payroll system (NH FIRST).

IV. The governor is authorized to draw a warrant to the general fund portion of said sums out of any money in the treasury not otherwise appropriated.

79:190 Effective Date.

I. Sections 176, 177, 180, and 183 of this act shall take effect July 14, 2023.

II. Sections 178, 179, and 184 of this act shall take effect July 12, 2024.

79:191 Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read as follows:

77-A:20-a Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of 1.5 percent in the rate of~~] ***the*** tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

79:192 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to read as follows:

77-E:14 Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of .50 percent in the rate of~~] ***the*** tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

79:193 Department of Health and Human Services, Division of Public Health Services, Choose Love Program. There is hereby appropriated to department of health and human services, division of public health services the sums of $250,000 for the fiscal year ending June 30, 2024, and $250,000 for the fiscal year ending June 30, 2025, for the purpose of operating the choose love program and funding 2 classified positions as determined by the director of public health services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise

appropriated.

79:194 New Paragraph; Department of Health and Human Services; Authorization to Fill Unfunded Positions. Amend RSA 126-A:4 by inserting after paragraph VI the following new paragraph:

VII. The department of health and human services shall have the authority to fill unfunded positions, provided that the total expenditure for such positions shall not exceed the amount appropriated to the department for personal services.

79:195 Department of Health and Human Services; Foster Grandparent Program. The sum of $200,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:196 Congregate Housing; Appropriation. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:196-a Effective Date. Sections 195 and 196 shall take effect June 30, 2023.

79:197 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2025, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis, provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.

79:198 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as amended by 2019, 346:61, I, as amended by 2021, 91:404 to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2023~~] ***2025***.

79:199 Graduate Medical Education Payments Suspended. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2025. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect

graduate medical education shall be suspended for the biennium ending June 30, 2025.

79:200 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2025.

79:201 Medicaid to Schools Program; Fiscal Committee Approval of Supplemental Funding. For the biennium ending June 30, 2025, in the event funds appropriated in accounting unit 05-95-47-0010-7207 Medicaid to schools, are insufficient, the department of health and human services may accept and expend additional federal funds with the prior approval of the fiscal committee of the general court. Any request to the fiscal committee shall include a detailed explanation of the types of assistance the department is providing to school districts to ensure eligibility for reimbursement under the Medicaid to schools program.

79:202 Department of Health and Human Services; Division of Medicaid Services. Any funds appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending June 30, 2023 shall not lapse until June 30, 2025, and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

79:202-a Effective Date. Section 202 of this act shall take effect June 30, 2023.

79:203 Department of Health and Human Services; Preventative Health Care Benefits; Medicaid Program. The commissioner of the department of health and human services shall, if necessary, submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and provide preventative health care benefits under the state Medicaid program, including but not limited to nicotine cessation, transitional care management, chronic care management, diabetes prevention program, and screening, brief intervention, and referral to treatment (SBIRT) services. In addition, the commissioner may adopt rules under RSA 541-A, relative to the preventative health care benefits described in this section.

79:204 Department of Health and Human Services; Transfer Between Certain Classes. Notwithstanding any other provision of law, the department of health and human services is hereby authorized to transfer funds between classes 072, 074, 102, and 103, and create new class lines for classes 072, 074, 102, and 103, in order to comply with federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

79:205 Health Facility Licensing; Inspection. Amend RSA 151:6, II to read as follows:

II. The department of health and human services may require by rule that any licensee or prospective applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction,

submit plans and specifications therefor to the [~~department of health and human services~~] ***department of safety, division of fire safety*** for preliminary inspection and approval or recommendations.

79:206 Repeal. RSA 151:53, relative to the workplace violence prevention program, is repealed.

79:207 New Chapter; Health Care Workplace Violence Prevention Program. Amend RSA by inserting after chapter 277-B the following new chapter:

CHAPTER 277-C

HEALTH CARE WORKPLACE VIOLENCE PREVENTION PROGRAM

277-C:1 Definitions. In this chapter:

I. "Health facility" means an acute care, rehabilitation, psychiatric, or substance abuse treatment hospital, or an urgent care center licensed under RSA 151; provided that a facility with more than one physical location shall be considered a single health facility; and provided that "health facility" shall not include state-operated medical facilities, and voluntary compliance by a state-operated facility shall not subject such facility to the requirements of this section. The term "health facility" shall not include any non-hospital affiliated urgent care with less than 3 clinics in New Hampshire.

II. "Workplace violence" means any act or threat of physical violence, harassment, intimidation, or other threatening behavior.

III. "Hostile words" means aggressive and belligerent verbal abuse in which the recipient reasonably believes that the speaker intends to injure or create excessive stress, or in which the recipient suffers actual psychological trauma.

277-C:2 Health Care Workplace Violence Prevention Program.

I. Except as provided in paragraph II, health facilities shall implement and maintain a workplace violence prevention program. Said program shall consider the size and complexity of the health facility and shall address the following topics, and others deemed appropriate by the health facility, the goal of which is to encourage participation and address prevention, recognition, response, and reporting of workplace violence:

(a) Policies and procedures to prevent and respond to workplace violence and hostile words.

(b) Appropriate training, education, and resources to employees based on their roles and responsibilities. Said training, education, and resources shall include:

(1) Education on what constitutes workplace violence and hostile words.

(2) Education on the roles and responsibilities of leadership, clinical staff, security personnel, if applicable, and external law enforcement.

(3) Training in de-escalation, nonphysical intervention skills, response to emergency incidents, and at the discretion of the health facility, physical intervention techniques.

(4) The reporting process for workplace violence and hostile words incidents.

(c) A process to report workplace violence and hostile words incidents internally and externally in order to analyze incidents and trends.

(d) A process for follow-up and to support victims and witnesses affected by workplace violence or hostile words, including information about available counseling.

(e) A process to conduct an annual facility-specific risk assessment, which shall:

(1) Examine all existing and potential workplace violence and hostile words risks, including environmental and patient-specific risk factors, the health facility's workplace violence and hostile words incidents, and how the program's policies and procedures, training, education, and environmental design reflect best practices and conform to applicable laws and regulations; and

(2) Be used to develop recommendations to reduce the risk of workplace violence and hostile words.

II. A health facility accredited by the Joint Commission on the accreditation of healthcare organizations may give proof of compliance with Joint Commission standards on workplace violence prevention to the health care workplace safety commission established in RSA 151-J, in lieu of paragraph I.

III. The commissioner of the department of labor shall monitor participation in the workplace violence prevention program so that participation status is proactively known and that this status is properly reported in the annual report described in RSA 151-J:7.

IV. Each health facility shall prepare and submit to the health care workplace safety commission established in RSA 151-J an annual report containing all workplace violence and hostile words incidents reported to the health facility directed at an employee by a patient, coworker, supervisor, manager, or other individuals who have a personal relationship with a patient. The chair of the health and human services oversight committee, established in RSA 126-A:13, with the advice of the health care workplace safety commission, may recommend updates to New Hampshire statutes or recommend updates to the rules adopted for the implementation of this section. The commissioner of the department of labor, in consultation with the health care workplace safety commission and the health and human services oversight committee, shall adopt rules pursuant to RSA 541-A deemed necessary for the implementation of this section, including a common reporting form.

V.(a) The annual report required under paragraph IV shall include but not be limited to, for each workplace violence or hostile words incident, a description of:

(1) The incident, including environmental and patient-specific risk factors present at the time of the incident, as well as the appropriate categorization of the incident as workplace violence and/or hostile words.

(2) The date, time, and location of the incident.

(3) The nature and extent of injuries to employees.

(4) A classification, but not any identifiable personal information, of each perpetrator who committed the violence, including whether the perpetrator was:

(A) A patient;

(B) An individual who has or is known to have had a personal relationship with a patient;

(C) A coworker, supervisor; or manager; or

(D) Any other appropriate classification.

(5) How the incident was abated, including any incident response and post-incident investigation.

(6) If the incident involves a patient, the patient's name or other similar identifier shall not be included in the report, provided that the report may include the patient's diagnosis code and whether or not behavioral health or disability were a factor.

(7) The percentage of employees that have participated in the workplace violence prevention program in the reporting year immediately preceding the incident. This percentage shall be an annual point in time percentage and is not intended to be a rolling number calculated upon each incident.

(b) The report shall preserve the reporting distinction between workplace violence and hostile words incidents. There shall not be any identifiable personal information included in any report unless contained within an attached police report or other official report of a governmental entity. No person or health care facility shall retaliate in any manner against any reporting individual acting in good faith, or otherwise discriminate against, a person, employee, or subordinate who exercises any rights under this section or rules adopted pursuant to this section, or by any policy or procedure promulgated under this section or RSA 151-J, including but not limited to reporting of a workplace violence or hostile words incident or otherwise providing notice to the health facility regarding the occupational health and safety of the employee or their fellow employees exposed to workplace violence or hostile words risk factors. Nothing in this section shall be construed to authorize an employee to refuse to discharge his or her ordinary and customary duties in the workplace.

(c) The confidentiality provisions contained within RSA 151-J:5 shall apply to records collected pursuant to this chapter.

VI. The commissioner of the department of labor shall be responsible for maintaining, in an easily navigable, searchable, distinct page on the department's website, a database to share information on the activities of the New Hampshire health care workplace safety commission. Topics included on the page shall include, but not be limited to:

(a) A listing of all health care facilities by name, with their business address included, which are subject to the provisions of the workplace violence prevention program.

(b) The participation status of each facility as active, inactive, or unknown.

(c) The dates of each meeting of the New Hampshire health care workplace safety commission.

(d) Annually, a press release shall be issued within 60 days of the end of the calendar year, highlighting the active participation of health care facilities and any major findings or recommendations.

VII. Notwithstanding the requirements of this chapter, a health facility that is an urgent care center shall not be required to comply with this chapter before July 1, 2024.

79:208 Duties; Health Care Workplace Safety Commission. Amend RSA 151-J:2, I(c) to read as follows:

(c) Propose changes to the health and human services oversight committee, established in RSA 126-A:13, ***the commissioner of the department of labor,*** and [~~to~~] the commissioner of the department of health and human services that will improve the safety of the health care workplace.

79:209 Confidentiality; Health Care Workplace Safety Commission. Amend RSA 151-J:5, I to read as follows:

I. All information, other than police reports, submitted to or collected by the commission, including, but not limited to, written, oral, and electronic information; records and proceedings of the commission, including, but not limited to, oral testimony and discussions, notes, minutes, summaries, analyses, and reports; and information disseminated by the commission or its members to hospitals and urgent care centers shall be confidential and privileged***, shall be exempt from RSA 91-A,*** and shall be protected from direct or indirect means of discovery, subpoena, or admission into evidence in any judicial, administrative, or other type of proceeding. The provision of information to the commission and the dissemination of information by the commission shall not be deemed to void, waive, or impair in any manner the confidentiality protection of this section or which the information may have under any other law or regulation.

79:210 Administration; Health Care Workplace Safety Commission. Amend RSA 151-J:6 to read as follows:

151-J:6 Administration. The commission may delegate to the department of [~~health and human services~~] ***labor*** the functions of collecting, analyzing, and disseminating workplace violence information, organizing and convening meetings of the commission, and other substantive and administrative tasks as may be incident to these activities or directed by the commission. The activities of the department of [~~health and human services~~] ***labor*** and its employees or agents shall be subject to the same confidentiality provisions and data privacy as those that apply to the commission.

79:211 Rulemaking; Health Care Workplace Safety Commission. Amend RSA 151-J:8 to read as follows:

151-J:8 Rulemaking. The commissioner of the department of [~~health and human services~~] ***labor***, with the advice of members of the commission, shall adopt rules pursuant to RSA 541-A, to assure de-identification of all individuals and facilities involved in the incidents received.

79:212 Appropriation; New Hampshire Health Care Workplace Safety Commission. The sum of $100,000 for the fiscal year ending June 30, 2024, and $100,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of labor for the purpose of establishing and hiring one program specialist IV position at labor grade 25 within the department of labor, office of administration, to implement the department's responsibilities relative to the New Hampshire health care workplace safety commission established in RSA 151-J. Such appropriations shall be funded 10 percent as a charge against the restricted fund established pursuant to RSA 273:1-b and 90 percent as a charge against the workers' compensation administration fund established under RSA 281-A:59.

79:213 Prospective Repeal; 2034. RSA 277-C, relative to the health care workplace violence prevention program, is repealed.

79:214 Effective Date. Section 213 of this act shall take effect March 1, 2034.

79:215 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV, as amended by 2019, 346:64 and 2021, 91:27 to read as follows:

IV. Section 10 of this act shall take effect June 30, [~~2023~~] ***2025***.

79:216 Effective Date. Section 215 of this act shall take effect June 30, 2023.

79:217 Department of Health and Human Services; Unclassified Positions Established.

I. The following unclassified positions are established in the department of health and human services:

(a) Medicaid pharmacy director.

(b) Pharmaceutical service specialist.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner: #30278; #12433 .

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

79:218 Department of Health and Human Services; Unclassified Positions Established; Appropriation.

I. The following unclassified positions are established in the department of health and human services:

(a) Twenty four staff attorney positions.

(b) Five supervisory staff attorney positions.

(c) Three supervising attorney positions.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner:

(a) Attorney II:

#11677	#15803	#16212	#16248	#19145
#40083	#40084	#40085	#40086	#40087
#40088	#40089	#40090	#40091	#40092
#40093	#40095	#40096	#40396	#43485
#44216	#44217	#44355	#44380	#44539
#44560	#44561	#TMPPT5726	#TMPPT5779	

(b) Attorney III:

#15402	#19766	#44562

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the newly established unclassified positions.

V. There is hereby appropriated to the department of health and human services the sums of $141,000 for the fiscal year ending June 30, 2024, and $140,000 for the fiscal year ending June 30, 2025, for the purpose of compensating the newly established unclassified positions in this section. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:219 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2022-2023~~] ***2024-2025***:

(1) State fiscal year [~~2022~~] ***2024***, [~~$129,362,411~~] ***$131,849,659***

(2) State fiscal year [~~2023~~] ***2025***, [~~$131,849,659~~] ***$131,849,659***;

79:220 Appropriation; Department of Health and Human Services; Choices for Independence. The sums of $4,750,000 in the fiscal year 2024 and $10,350,000 in the fiscal year 2025 are hereby appropriated to the department of health and human services for the purpose of funding Choices for Independence, a Medicaid-funded program that provides a wide range of service choices that enable eligible adults to stay in their own homes and communities. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior

approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:221 Appropriation; Department of Health and Human Services; Medicaid Management Information System. The sum of $20,531,625 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of funding the Medicaid management information system. Said sum shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:222 Effective Date. Section 221 of this act shall take effect June 30, 2023.

79:223 Appropriation; Department of Health and Human Services; Medicaid Unwind. In the event that expenditures from 05-95-47-470010-7948 or 05-95-47-470010-7051 are greater than the amounts appropriated, due to the Medicaid unwinding process and continuous eligibility requirements, the commissioner may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:224 Appropriation; Department of Health and Human Services; Moving One District Office. There is hereby appropriated the sum of $533,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of moving one district office. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:225 Effective Date. Section 224 of this act shall take effect June 30, 2023.

79:226 Appropriation; Department of Health and Human Services; Vehicles and Equipment at New Hampshire Hospital. There is hereby appropriated the sum of $200,000 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing vehicles and clinical equipment at New Hampshire hospital. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:227 Effective Date. Section 226 of this act shall take effect June 30, 2023.

79:228 Appropriation; Department of Health and Human Services; IT Consultants; Analysis. The sum of $1,500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to manage projects and perform analysis to support IT building automated solutions to streamline business processes. The department of health and human services may accept and expend any matching federal funds for the purposes of this section without prior approval

of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:229 Effective Date. Section 228 of this act shall take effect June 30, 2023.

79:230 Appropriation; Department of Health and Human Services; IT Consultants; Automated Solutions. The sum of $1,950,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to develop and implement automated solutions to streamline business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:231 Effective Date. Section 230 of this act shall take effect June 30, 2023.

79:232 Appropriation; Department of Health and Human Services; Food Stamp Eligibility. There is hereby appropriated the sum of $125,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services, for the purpose of replacing a legacy database used for pulling quality samples for food stamp eligibility reviews. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:233 Effective Date. Section 232 of this act shall take effect June 30, 2023.

79:234 Appropriation; Department of Health and Human Services; DHHS Offices. There is hereby appropriated the sum of $410,100 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing aging switches, routers, and wireless access points at department offices. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:234-a Effective Date. Section 234 of this act shall take effect June 30, 2023.

79:235 Appropriation; Department of Health and Human Services; Temporary Assistance For Needy Families; Maintenance of Effort. There is hereby appropriated to the department of health and human services the sums of $3,000,000 for the fiscal year ending June 30, 2024, and $3,000,000 for the fiscal year ending June 30, 2025, to ensure maintenance of effort funding is sufficient to meet the federal temporary assistance for needy families maintenance of effort levels. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:236 Appropriation; Department of Health and Human Services; Nutrition and Transportation Services. There is hereby appropriated to the department of health and human services the sums of $3,404,991 for the fiscal year ending June 30, 2024, and $3,404,991 for the fiscal year ending June 30, 2025, for the purpose of funding Title XX service rates for nutrition and transportation service rates. The governor is authorized to draw a warrant for said sums out of any

money in the treasury not otherwise appropriated.

79:237 Appropriation; Department of Health and Human Services; Foster Care Rates. There is hereby appropriated to the department of health and human services the sums of $870,481 for the fiscal year ending June 30, 2024, and $957,529 for the fiscal year ending June 30, 2025, for the purpose of increasing foster care rates. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:238 Appropriation; Department of Health and Human Services; Medicaid Provider Rate Increases. There is hereby appropriated to the department of health and human services the sums of $12,000,000 for the fiscal year ending June 30, 2024, and $12,000,000 for the fiscal year ending June 30, 2025, for the purpose of increasing Medicaid provider rates, excluding rates for hospital inpatient and hospital outpatient services. The department shall utilize such funds to increase rates pursuant to section 1902 (a)(30)(A) of the Social Security Act, to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department may accept and expend any federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:239 Appropriation; Department of Health and Human Services; Targeted Medicaid Rate Increases. In addition to any other sums appropriated, there is hereby appropriated to the department of health and human services the following amounts for the purpose of increasing rates paid to service providers. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said rate increases shall go into effect no later than January 1, 2024. If feasible, the department shall implement any of the rate increases prior to that date, with priority given to those the commissioner has deemed most critical. For all appropriations below, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. For each appropriation, the department shall report to the fiscal committee of the general court, by October 1, 2023, the accounting units in the state operating budget to which funds will be or have been allocated, along with the rate increases that will be provided from the funds appropriated:

I. $4,677,979 in the fiscal year ending June 30, 2024 and $9,355,958 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to nursing homes.

II. $2,154,309 in the fiscal year ending June 30, 2024 and $4,308,618 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for all Choices for Independence providers not provided rate increases elsewhere in this section.

III. $708,678 in the fiscal year ending June 30, 2024 and $1,417,355 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to assisted living facilities.

IV. $483,000 in the fiscal year ending June 30, 2024 and $966,000 in the fiscal year ending

June 30, 2025 for the purpose of increasing rates paid to home health aides.

V. $70,691 in the fiscal year ending June 30, 2024 and $141,382 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for home delivered meals paid to Meals on Wheels providers.

VI. $736,954 in the fiscal year ending June 30, 2024 and $1,473,908 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for private duty nursing providers.

VII. $169,658 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid for section 1915(c) waiver case management services.

VIII. $3,969,301 in the fiscal year ending June 30, 2024 and $7,938,602 in the fiscal year ending June 30, 2025 for the purpose of increasing rates and/or wages paid to providers of community mental health services.

IX. $623,848 in the fiscal year ending June 30, 2024 and $1,247,697 in the fiscal year ending June 30, 2025 for the purpose of increasing housing reimbursement rates for those receiving community mental health services.

X. $3,000,000 in the fiscal year ending June 30, 2024 and $6,000,000 in the fiscal year ending June 30, 2025 for the purpose of rebasing rates for community health centers to ensure that Medicaid rates are sufficient to cover the cost of service provision.

XI. $1,133,707 in the fiscal year ending June 30, 2024 and $2,267,415 in the fiscal year ending June 30, 2025 for the purpose of bringing Medicaid rates for community health centers up to the levels of Medicare reimbursement.

XII. $8,221,367 in the fiscal year ending June 30, 2024 and $16,442,733 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of early supports and services, developmental services, acquired brain disorder services, and children's in-home support services.

XIII. $1,374,940 in the fiscal year ending June 30, 2024 and $2,749,881 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population.

XIV. $113,106 in the fiscal year ending June 30, 2024 and $226,211 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to residential treatment providers serving those experiencing substance use disorders.

XV. $169,858 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of medication assisted treatment for those experiencing substance use disorders.

XVI. $255,371 in the fiscal year ending June 30, 2024 and $510,743 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of outpatient services for those

experiencing substance use disorders.

XVII. $50,000 in the fiscal year ending June 30, 2024 and $100,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to midwives providing Medicaid births in nonhospital environments.

XVIII. $125,000 in the fiscal year ending June 30, 2024 and $250,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to birthing centers.

XIX. $1,944,003 in the fiscal year ending June 30, 2024 and $3,888,007 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid for providers of ambulance/EMT services. Notwithstanding any other provisions, the rates for the following ambulance codes shall be as follows:

Ambulance Codes	Rate
A0425	13.00
A0427	700
A0428	325
A0429	450

If the department determines that the appropriations contained in this paragraph are insufficient to set rates at the specified levels, it may delay implementation until such time as the rate increases can be provided.

XX. $1,500,000 in the fiscal year ending June 30, 2024 and $3,000,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant services.

XXI. $15,740,786 for the biennium ending June 30, 2025 for the purpose of increasing any of the rates in this section prior to January 1, 2024, if feasible, where the department has given priority to those increases the commissioner has deemed most critical. Any portion of this appropriation not expended by January 1, 2024 may be used for rate increases authorized elsewhere in this section and section 238 of this act.

79:240 Department of Health and Human Services; Medicaid Rate Increases. The department shall utilize the funds appropriated in sections 238 and 239 of this act to increase rates pursuant to section 1902(a)(30)(A) of the Social Security Act, and to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department shall have the authority to make adjustments to sections 238 and 239 of this act in order to address:

(a) During implementation, that the percentage of RSA 126-AA funds shall be a proportional credit to the amount implemented;

(b) Impacts to established contracts;

(c) Changes that result in reductions to federal match levels;

(d) Cost-based rate methodologies that cannot accommodate a percentage-based increase as defined under the Medicaid state plan;

(e) Prohibitions regarding the use of general funds;

(f) Parity among rates, including non-Medicaid rates;

(g) Rates paid to out-of-state providers; and

(h) Any rate methodology actively under review and development.

II. Amounts available for the purposes of sections 238 and 239 of this act may be increased by the amounts of any funds unable to be implemented in this section as a result of a technical assistance finding by the Centers for Medicare and Medicaid Services that a proposed state plan amendment or waiver must be modified in order to be approved.

III. Notwithstanding any other provision of law, rate parity among the same or similar services within existing waiver services shall be a priority.

79:241 Department of Health and Human Services; Adult Medical Day Services. The department of health and human services shall reimburse all adult medical day services at the same payment rate irrespective of whether the service is covered under the Choices for Independence waiver or the Medicaid state plan.

79:242 Repeals; Department of Business and Economic Affairs. The following are hereby repealed:

I. RSA 12-O:46 through 12-O:50, relative to the New Hampshire college graduate retention incentive partnership (NH GRIP).

II. RSA 12-O:64, relative to the COVID-19 micro enterprise relief fund.

III. RSA 6:12,I(b)(365), relative to the COVID-19 micro enterprise relief fund.

IV. RSA 12-O:19, relative to the package plan program.

79:243 Department of Business and Economic Affairs; Bureaus. Amend RSA 12-O:2, I to read as follows:

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of but not limited to a division of economic development [~~which shall include but not be limited to a bureau of workforce development~~] and a division of travel and tourism [~~development which shall include but not be limited to a bureau of visitor service~~]. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

79:244 Workforce Development. Amend RSA 12-O:42 to read as follows:

12-O:42 Workforce Development. The commissioner of business and economic affairs shall work with the [~~workforce development~~] director ***of the office of workforce opportunity*** to plan, develop, and administer workforce investment activities, programs, and grants under the federal ***Workforce Innovation and Opportunity Act of 2014*** [~~Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq.~~], as such may be amended, reauthorized, and in effect from time to time, and shall

discharge the day-to-day operational responsibilities and obligations of the State Workforce Innovation Board established under RSA 12-O:44. The commissioner shall coordinate with the State Workforce Innovation Board to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

79:245 Workforce Development Director. Amend RSA 12-O:43 to read as follows:

12-O:43 Workforce Development Director. There is established within the [~~bureau~~] ***office*** of workforce [~~development~~] ***opportunity*** the position of [~~workforce development coordinator~~] ***director***, which shall be an administrator [~~II~~] ***IV*** position, classified at labor grade [~~29~~] ***33***. The [~~workforce development~~] director shall lead the ***office of workforce opportunity*** [~~workforce development bureau~~]. The [~~workforce development~~] director shall perform all duties which the commissioner may assign.

79:246 State Workforce Innovation Board; Duties Removed. RSA 12-O:44 is repealed and reenacted to read as follows:

12-O:44 State Workforce Innovation Board.

I. There is established a State Workforce Innovation Board within the Office of Workforce Opportunity.

II. Membership of the board shall be as set forth in the Workforce Innovation and Opportunity Act of 2014 as such may be amended, reauthorized, and in effect from time to time. Members of the board shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the board from among the members of the board.

III. The board shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Innovation and Opportunity Act of 2014.

79:247 Broadband Infrastructure Bonds. Amend RSA 33:3-g, IV to read as follows:

IV. The [~~office of planning and development~~] ***department of business and economic affairs*** shall maintain a list by town of all providers interested in receiving requests for information. The list shall include physical and electronic address information for interested providers and shall be updated as needed, but at least annually. For purposes of issuing requests for information pursuant to paragraph III, a municipality, county, or communications district shall reference the interested provider list maintained by the [~~office of planning and development~~] ***department*** and shall issue requests for information to all interested providers in that municipality, county, or communications district, both electronically and by United States mail.

79:248 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25, III to read as follows:

III. On or before April 30 of each year, the office of planning and development shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the office of planning and development on or before May 30 of the same year. After due consideration of such evidence, the director of [~~energy and planning~~] ***the office of planning and development*** shall determine the final components and resulting estimates.

79:249 Reference Deleted. Amend RSA 126-A:4, V(b)(1) to read as follows:

(1) May request and shall receive the assistance of all other state agencies, including [~~the office of planning and development, and~~] the departments of transportation, administrative services, and business and economic affairs.

79:250 Assistant Deputy Medical Examiners. Amend RSA 611-B:5 to read as follows:

611-B:5 Assistant Deputy Medical Examiners. The chief medical examiner shall [~~appoint~~] ***employ*** assistant deputy medical examiners to perform the duties of medical examiner under this chapter. Assistant deputy medical examiners shall serve without geographic restriction. An assistant deputy medical examiner shall be a person educated in the science of medicine and shall serve under the direction and supervision of the chief medical examiner. An assistant deputy medical examiner shall possess all the powers granted to medical examiners under this chapter and be sworn in the same manner. Assistant deputy medical examiners shall ***be appointed by the attorney general pursuant to RSA 21-M:3, XIV and shall*** serve at the pleasure of the chief medical examiner.

79:251 Department of Justice; Assistant Deputy Medical Examiners Established. There is established within the department of justice unclassified positions of assistant deputy medical examiners. The assistant deputy medical examiners shall be qualified to hold the position by reason of education and experience and shall be appointed to serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5. The salary of the assistant deputy medical examiners shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1037.

79:252 New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners; Deputy Chief Forensic Investigator. Amend RSA 21-M:3 by inserting, after paragraph XIII, the following new paragraphs:

XIV. The attorney general, subject to the approval of the governor and council, may appoint permanent assistant deputy medical examiners within the limits of the appropriation made for the appointment, each of whom shall serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5.

XV. The attorney general, subject to the approval of the governor and council, may appoint a

permanent chief forensic investigator and/or a deputy chief forensic investigator, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The chief forensic investigator and deputy chief forensic investigator may be removed only as provided by RSA 4:1.

79:253 Department of Justice; Planning Analyst/Data Systems; Reclassified and Established; Deputy Chief Forensic Investigator. The planning analyst/data systems position number 9T3175, within the department of justice shall be designated as an unclassified position. There is established within the department of justice an unclassified position of deputy chief forensic investigator. The deputy chief forensic investigator shall be qualified to hold the position by reason of education and experience and shall be appointed to serve for a term of 5 years. The salary of the deputy chief forensic investigator shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1033. Upon completion of this action and appointments to the unclassified position, classified position number 9T3175 shall be abolished to allow for the transition of the available appropriations to the unclassified position. Funding shall be transferred into the proper unclassified expenditure class in the chief medical examiner general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general's nomination for the unclassified deputy chief forensic investigator position.

79:254 Chief Medical Examiner; Reference Deleted. Amend RSA 611-B:10 to read as follows:

611-B:10 Administrative and Technical Assistance. The chief medical examiner may employ adequate administrative, clerical, and technical assistants to carry out the purposes of this chapter[~~, all of whom shall be in the classified service of the state~~].

79:255 Office of the Solicitor General. Amend RSA 21-M:12-a, I to read as follows:

I. There is established [~~in~~] ***within*** the [~~division of legal counsel~~] ***department*** an office of the solicitor general. The office shall be supervised by the solicitor general who shall be a senior assistant attorney general appointed by the attorney general in accordance with the provisions of RSA 21-M:3, and who shall carry out the duties imposed by the section under the supervision of the attorney general and perform such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such support staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the [~~office~~] ***department.***

79:256 Division of Legal Counsel. Amend RSA 21-M:7, II to read as follows:

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A [~~transportation and construction~~] ***public safety and infrastructure*** bureau.

[~~(c) An office of the solicitor general.~~]

79:257 Department of Justice; Name Change; Public Safety and Infrastructure Bureau. Amend the section heading of RSA 21-M:12 and RSA 21-M:12, I to read as follows:

21-M:12 [~~Transportation and Construction~~] ***Public Safety and Infrastructure Bureau.***

I. There is established in the division of legal counsel a bureau of [~~transportation and construction~~] ***public safety and infrastructure***. The bureau shall be supervised by a senior assistant attorney general who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3 and who shall carry out the duties imposed by this section under the supervision of the attorney general and do such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such additional clerical, stenographic, and other staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the bureau.

79:258 Department of Justice; Positions Transferred. The attorney general shall transfer national violent death reporting system positions 9T2789 and 9T2644 to the department of health and human services effective July 1, 2023. The department of justice appropriation 02-20-20-20-201510-59390000, national violent death reporting system, shall be repealed effective September 30, 2023.

79:259 New Section; Charitable Trusts. Amend RSA 7 by inserting after section 28-f the following new section:

7:28-g Handling Charges. If the attorney general collects a fee electronically for any registration, any annual report, any notice, any document, or any other purpose related to the duties of the director of charitable trusts, the attorney general shall collect a handling charge for each fee paid electronically. The amount of the handling charge shall be equal to the amount charged to the attorney general for processing the fee by credit card, electronic check, or other electronic means.

79:260 Charitable Trusts; Investigations. Amend RSA 7:24 to read as follows:

7:24 Investigation. The attorney general may investigate at any time charitable trusts, charitable solicitations, and charitable sales promotions for the purpose of determining and ascertaining whether they are administered in accordance with law and with the terms and purposes thereof. For the purposes of such investigation the attorney general may require any person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency administering a trust, charitable solicitation, or charitable sales promotion or having an interest therein, or knowledge thereof, to appear [~~at the state house~~] at such time and place as the attorney general may designate then and there under oath to produce for the use of the attorney general any and all books, memoranda, papers of whatever kind, documents of title or other evidence of assets or liabilities which may be in the ownership or possession or control of such person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency and to furnish such other available information relating to said trust, charitable solicitation, or charitable sales promotion as the attorney general may require.

79:261 Victim Assistance Programs. Amend RSA 21-M:8-i, IV to read as follows:

IV. No more than [~~15~~] ***30*** percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

79:262 New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation.

I. For each person receiving an annual allowance under the former RSA 100-A:19 as of the effective date of this section, the retirement system shall continue to pay the annual allowance to each such person as had been provided under RSA 100-A:19 prior to its repeal in 2014.

II. There hereby is appropriated the amount of $40,000 to fund the benefit for the remaining surviving beneficiaries. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such amount shall be transferred from the state's general fund to the New Hampshire retirement system, which shall maintain such funds in a segregated account exclusively for payment of the call firefighter benefits.

III. The New Hampshire retirement system shall be reimbursed from available funds a reasonable annual fee for administration of the benefit until payments under paragraph I have terminated.

IV. Funds shall be nonlapsing until termination of all benefit payments under paragraph I and any remaining funds held by the New Hampshire retirement system in this segregated account at that time, shall be returned to the state's general fund.

79:263 Business Finance Authority; Unified Contingent Credit Limit Increased. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, and RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, to $95,000,000 plus interest on January 1, 1994, and to $115,000,000 plus interest on May 1, 2015***, and to $200,000,000 plus interest on June 1, 2023.***

79:264 Appropriation; Department of Education; Kindergarten Adequate Education Grants. There is hereby appropriated the sum of $315,700 from the education trust fund, in the fiscal year ending June 30, 2023, to the department of education for the purpose of providing kindergarten adequate education grants under RSA 198:48-b, for new full-day kindergarten programs in the 2023-2024 school year. This appropriation shall not lapse until June 30, 2024.

79:265 Effective Date. Section 264 of this act shall take effect June 30, 2023.

79:266 Assessing Certification Board; Rulemaking and Implementation. To reduce workforce barriers and provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of RSA 310-C, relative to assessing standards,

shall be transferred to the executive director of the office of professional licensure and certification effective September 1, 2023. The executive director shall consult with the assessing certification advisory board when implementing RSA 310-C. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.

79:267 Assessing Certification Board; Advisory Board Established. RSA 310-C:1 is repealed and reenacted to read as follows:

310-C:1 Assessing Certification Advisory Board.

I. There is established an assessing certification advisory board ("board") within the office of professional licensure and certification, that shall advise the executive director of the office of professional licensure and certification on the implementation of this chapter.

II. The board shall be composed of the following members:

(a) The commissioner of the department of revenue or designee;

(b) One certified assessor supervisor appointed by the executive director of the office of professional licensure and certification; and

(c) One member who shall be a municipal governing body official who shall not be an assessor, and who is appointed by the executive director of the office of professional licensure and certification.

III. The members shall be appointed for 3-year terms and shall not serve more than 2 full terms.

79:268 Assessing Certification Board; Rulemaking Authority. Amend the introductory paragraph of RSA 310-C:17, I to read as follows:

I. The ***executive director in consultation with the advisory*** board shall adopt rules pursuant to RSA 541-A, relative to:

79:269 Assessing Certification Board Repeal. The following are repealed:

I. RSA 310-C:9, relative to the term of certification.

II. RSA 310-C:12, I, relative to the assessing certificate.

III. RSA 310-C:13, relative to disciplinary proceedings.

IV. RSA 310-C:14, relative to hearings and investigations.

V. RSA 310-C:16, relative to summons and oaths.

79:270 Repeal. RSA 332-J, relative to athlete agents, is repealed.

79:271 Repeal. RSA 311-B:2, III and IV, relative to the members of the state board of auctioneers, is repealed.

79:272 Auctioneers; State Board of Auctioneers; Transfer. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for administration of the state board of auctioneers shall be transferred to the office of professional licensure and certification effective September 1, 2023.

79:273 Auctioneers; Rulemaking Authority. RSA 311-B:3 is repealed and reenacted to read as follows:

311-B:3 Rulemaking Authority.

I. The board, with the approval of the executive director of the office of professional licensure and certification, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The qualifications of applicants for initial, renewal, and reinstatement licensure in addition to those requirements set by statute, and the means to be used by applicants to demonstrate good professional character;

(b) Ethical and professional standards required to be met by each holder of a license under this chapter;

(c) How disciplinary actions by the board shall be implemented for violations of these standards and for misconduct by licensees; and

(d) Establishing eligibility for certificates of authorization issued under RSA 311-B:4, III.

II. The board may adopt rules, pursuant to RSA 541-A, relative to:

(a) Required maintenance of competence including requirements for continuing education;

(b) Board approval of auctioneering educational programs; and

(c) Standards governing auctioneering apprenticeships.

79:274 Auctioneers; Qualifications; Application. Amend RSA 311-B:5 to read as follows:

311-B:5 Qualifications; Application. The [~~board~~] ***executive director*** shall grant licensure to any applicant who:

I. Shall have attained the age of 18 years by the date the board receives the application;

II. Submits professional references or recommendations that comply with other standards specified by rule, certifying that the applicant is trustworthy and competent to auction real, personal, and mixed property in such a manner as to safeguard the interests of the public. Each such recommendation shall set forth the writer's name, address, and occupation, the extent of the writer's acquaintanceship with the applicant, the writer's familiarity with the applicant's past business experience and dealings, and any additional knowledge of the applicant's background upon which the writer bases the recommendation;

III. Pays the initial licensure fee;

IV. [Repealed.]

V. Has good professional character;

VI. Meets the eligibility standards established by the board through rulemaking;

VII. Pays the examination fee [~~specified by the board through rulemaking~~] if the examination is one developed or administered by the board; and

VIII. Passes an examination [~~administered by the board or an examination~~] administered by

another entity and approved by the board through rulemaking.

79:275 Auctioneers; Repeals. The following are repealed:

I. RSA 311-B:4-a, relative to cease and desist orders for auctioneering without a license.

II. RSA 311-B:6, relative to nonresidents.

III. RSA 311-B:10, relative to renewals and reinstatement.

IV. RSA 311-B:11, relative to disciplinary action.

V. RSA 311-B:11-a, relative to hearings.

79:276 Auctioneers; Disposition of Revenue. Amend RSA 311-B:14 to read as follows:

311-B:14 Disposition of Revenue. All moneys collected under this chapter shall be paid into the [~~general fund and are appropriated therefrom to the secretary of state for the purpose of carrying out the provisions of this chapter~~] ***office of professional licensure and certification fund.***

79:277 Allied Health Professionals; Governing Boards Established. Amend RSA 328-F:3 as follows:

328-F:3 Governing Boards Established[~~; Board of Directors; Office of Licensed Allied Health Professionals~~].

[~~I.~~] There shall be established governing boards of athletic trainers, occupational therapists, physical therapists, speech-language pathologists and hearing care providers, and genetic counselors. ***In order to eliminate a redundant regulatory framework and promote efficiency and economy, and as set forth in RSA 310, the responsibility for administration of the governing boards shall be with the office of professional licensure and certification, and the authority of the board of directors of allied health professionals is repealed.***

[~~II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.~~

~~III. There shall be an office of licensed allied health professionals established in Concord within the office of professional licensure and certification.~~]

79:278 Allied Health Professionals; Completion of Survey; Rulemaking. Amend RSA 328-F:11-a as follows:

328-F:11-a Completion of Survey; Rulemaking. The ***governing*** board shall adopt rules, pursuant to RSA 541-A, requiring, as part of the license renewal process, completion by licensees of a survey or opt-out form provided by the office of rural health, department of health and human services, for the purpose of collecting data regarding the New Hampshire primary care workforce, pursuant to the commission established in RSA 126-T. Any rules adopted under this section shall provide the licensee with written notice of his or her opportunity to opt-out from participation in the survey.

79:279 Allied Health Professionals; Criminal History Record Checks. Amend RSA 328-F:18-a as

follows:

328-F:18-a Criminal History Record Checks.

I. The [~~board of directors~~] ***governing boards*** shall require [~~one of the following types of criminal background checks~~] from applicants for initial licensure or certification, reinstatement of licensure or certification, or conditional licensure or certification[~~:~~

~~(a) An original criminal offender record report issued by each state where the applicant has resided or been licensed within the past 6 years; or~~

~~(b) A~~] ***a*** criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

[~~(1)~~] ***(a)*** The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** may, in lieu of the criminal history records check, accept police clearances [~~described in subparagraph (a)~~].

[~~(2)~~] ***(b)*** The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

II. The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall review the criminal record information prior to the respective governing board making a decision on licensure or certification and shall maintain the confidentiality of all criminal history records received pursuant to this section.

III. The applicant shall bear the cost of all criminal history record checks.

IV. The [~~board~~] ***office of professional licensure and certification*** shall consider military security clearance for an individual actively serving in any component of the Department of Defense in lieu of criminal background checks.

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** receives the results of a criminal history record check required for licensure, if the conditional employee:

(a) Is under the direct supervision of a licensee;

(b) Has provided a written attestation to the employer and the [~~board~~] ***office of professional licensure and certification*** that no disqualifying criminal history exists; and

(c) The [~~allied health~~] governing board is not a member of an interstate licensure compact.

79:280 Recreational Therapists; Eligibility for Licensure. Amend RSA 326-J:5, II to read as follows:

II. The executive director may, upon notice and opportunity for a hearing, deny an application for reinstatement of a license or reinstate the license with conditions. Conditions imposed may include a requirement for continuing education, practice under the supervision of a licensed recreational therapist[~~, or any other conditions set forth in RSA 328-F:18, III~~].

79:281 Repeals; Allied Health. The following are repealed:

I. RSA 328-F:1, relative to allied health professionals purpose.

II. RSA 328-F:2, relative to allied health professionals definitions.

III. RSA 328-F:5, I-V, relative to allied health professionals governing board authority.

IV. RSA 328-F:7, relative to allied health professionals removal of members and vacancies.

V. RSA 328-F:8, relative to allied health professionals organization and meetings.

VI. RSA 328-F:9, relative to allied health professionals records of the boards.

VII. RSA 328-F:10, relative to allied health professionals records of disciplinary history.

VIII. RSA 328-F:11-b, relative to allied health professionals telemedicine.

IX. RSA 328-F:12, relative to allied health professionals the board of directors.

X. RSA 328-F:13, relative to allied health professionals board of directors' rulemaking authority.

XI. RSA 328-F:15, relative to allied health professionals fees.

XII. RSA 328-F:18, relative to allied health professionals issuance of licenses.

XIII. RSA 328-F:19, relative to allied health professionals renewal.

XIV. RSA 328-F:20, relative to allied health professionals reinstatement of lapsed licenses.

XV. RSA 328-F:21, II, relative to allied health professionals notification of stolen licenses.

XVI. RSA 328-F:23, relative to allied health professionals disciplinary action and hearings.

XVII. RSA 328-F:24, relative to allied health professionals investigations.

XVIII. RSA 328-F:25, relative to allied health professionals obligation to report.

XIX. RSA 328-F:26, relative to allied health professionals temporary suspension.

XX. RSA 328-F:27, relative to allied health professionals unauthorized practice.

XXI. RSA 328-F:29, relative to allied health professionals revocation of licensure.

79:282 Boxing and Wrestling Commission; Transfer. To promote efficiency and economy, reduce administrative costs, and facilitate customer service, the responsibility for administration of the boxing and wrestling commission shall be transferred to the office of professional licensure and certification effective September 1, 2023.

79:283 Boxing and Wrestling Commission; Members; Removal; Conflicts of Interest. Amend RSA 285:3, I as follows:

I. The commission shall consist of [~~3~~] ***5*** members appointed by the governor and council. Members appointed by the governor and council shall have had some experience in the fighting sports and shall be residents of the state. Members shall have no financial interest, direct or indirect, in professional fighting sports regulated by the commission.

79:284 Boxing and Wrestling Commission; Establishment of Commission. Amend RSA 285:7 as follows:

285:7 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The conduct of amateur and professional fighting sports competitions;

II. Requirements and qualifications for licenses, permits and amateur cards for persons involved in fighting sports competitions;

III. The grounds for revocation or suspension of a license or permit, and the reinstatement of suspended licenses and permits;

[~~IV. A fee schedule for permits and amateur cards and for the renewal of amateur cards;~~

~~V~~] ***IV.*** Promoters' bonds; and

[~~VI~~] ***V.*** Insurance coverage required by the commission.

79:285 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Cooperation With Amateur Local Boxing Committee Required. Amend RSA 285:9-a, VI as follows:

VI. The [~~commission~~] ***office of professional licensure and certification*** shall collect 5 percent of the gross receipts of paid admissions to all amateur bouts, as mandated by RSA 285:14.

79:286 Boxing and Wrestling Commission; Licenses Required. Amend RSA 285:11 as follows:

285:11 Licenses Required. No person shall participate in a professional fighting sports competition as a contestant, manager, referee, judge, second or timekeeper without a license from the commission. [~~The fee for all licenses issued by the commission shall be $20. Licenses granted by the commission shall be valid for one year from the date of issue unless revoked or suspended by the commission. The commission shall, upon application, renew any license unless good cause is shown that the license should not be renewed. The fee for all license renewals issued by the commission shall be $20.~~]

79:287 Boxing and Wrestling Commission; Suspension or Revocation; Appeals. Amend RSA 285:12 as follows:

285:12 Suspension or Revocation; Appeals.

[~~I.~~] The commission may revoke or suspend any permit or license for cause.

[~~II. Rehearings and appeals from any decision of the commission shall be in accordance with RSA 541.~~]

79:288 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Permit and License Fees; Amateur Cards. Amend RSA 285:14, II as follows:

II. The promoter also shall, at the same time, pay to the [~~commission~~] ***office of professional licensure and certification*** by certified check a tax of 5 percent of the gross receipts of paid admissions after deduction of any federal taxes. ***Payments made pursuant to this section shall be deposited into a dedicated fund, which shall lapse annually at the close of each fiscal year to the general fund.***

79:289 Boxing and Wrestling Commission; Deputy Inspectors. Amend RSA 285:19 as follows:

285:19 Deputy Inspectors. A member of the commission is not required to be present at all fighting sports competitions. If a member of the commission is not present at a fighting sports competition held under this chapter, the commission shall appoint a deputy inspector who shall, for the duration of the contest, have the full duties and powers of a member of the commission. Deputy inspectors shall be entitled to compensation as the commission***, with the approval of the executive director,*** may deem proper.

79:290 Repeals; Boxing and Wrestling Commission. The following are repealed:

I. RSA 285:5, relative to boxing and wrestling commission chairperson, treasurer, and quorum.

II. RSA 285:6, relative to boxing and wrestling commission compensation.

III. RSA 285:8, relative to boxing and wrestling commission report.

79:291 Electricians; Definitions. Amend RSA 319-C:2, IV as follows:

IV. "Journeyman electrician" means a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be employed by a master electrician[~~, except as provided in RSA 319-C:10~~]. Each journeyman electrician shall work under the direction and supervision of a master electrician.

79:292 Electricians; Inspectors. Amend RSA 319-C:5, I as follows:

I. The [~~board~~] ***office of professional licensure and certification*** shall be empowered to appoint such inspectors as may be necessary to carry out the purposes of this chapter. Any person so employed shall be under the administration and supervisory direction of the [~~board~~] ***office of professional licensure and certification.***

79:293 Electricians; Licensing Requirements. Amend RSA 319-C:7, II, as follows:

II. [~~After June 30, 1976,~~] The board shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board ***or experience in the field received in military service, in accordance with rules adopted by RSA 541-A***; and

(b) Satisfactory passing of an examination [~~conducted~~] ***approved*** by said board as provided in RSA 319-C:8 to determine [~~his~~] ***the person's*** fitness to receive such license.

79:294 Repeals. The following are repealed:

I. RSA 319-C:6-a, VI, relative to electricians rulemaking for investigations.

II. RSA 319-C:6-a, VII, relative to electricians procedural rules for hearings.

III. RSA 319-C:6-b, relative to electricians fees.

IV. RSA 319-C:9, relative to electricians renewal of licenses.

V. RSA 319-C:12, relative to electricians disciplinary action.

VI. RSA 319-C:12-a, relative to electricians hearings.

VII. RSA 319-C:12-b, relative to electricians appeals.

VIII. RSA 319-C:14, relative to electrician nonresidents.

79:295 Genetic Counselors; Provisional License. Amend RSA 326-K:4 to read as follows:

326-K:4 Provisional License.

I. A provisional license may be issued by the [~~board~~] ***office*** to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

(a) Issuance of a full license;

(b) Thirty days after the applicant fails to pass the certification examination; or

(c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the [~~board~~] ***office*** for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The [~~board~~] ***office*** is authorized to issue conditional provisional licenses in accordance with ***governing board*** rules adopted pursuant to RSA 541-A.

79:296 Genetic Counselors; Prohibition on Unlicensed Practice. Amend RSA 326-K:5, I to read as follows:

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the [~~board~~] ***office*** to practice as a licensed genetic counselor.

79:297 Genetic Counselors; Privileged Communications. Amend RSA 326-K:8, II to read as follows:

II. Information and results may be made available to the board ***or the office*** for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

79:298 Repeal; Genetic Counselors. RSA 326-K:6, relative to reciprocity is repealed.

79:299 Hawkers and Peddlers; Repeal. RSA 320, relative to hawkers and peddlers, is repealed.

79:300 Itinerant Vendors; Repeal. RSA 321, relative to itinerant vendors, is repealed.

79:301 Board of Manufactured Housing; Repeals. The following are repealed:

I. RSA 205-A:25, relative to board establishment.

II. RSA 205-A:26, relative to quorum.

III. RSA 205-A:27, relative to jurisdiction.

IV. RSA 205-A:28, relative to decisions.

V. RSA 205-A:29, relative to meetings and records.

VI. RSA 205-A:29-a, relative to administrative and business processing functions.

VII. RSA 205-A:30, relative to notification and cooperation.

VIII. RSA 205-A:31, relative to rulemaking.

79:302 State Board of Fire Control; Mechanical Licensing Board. Amend RSA 153:27-a to read as follows:

153:27-a Mechanical Licensing Board. There is hereby established as a unit within the office of professional licensure and certification. The term of office for the members appointed to the board shall be 3 years and until a successor is appointed. The initial appointed members of the board shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. No member of the board shall be appointed to more than 2 consecutive terms. [~~A member of the board shall serve as the board secretary.~~]

I.(a) No member of the board may be associated with the formal education for licensing, and/or be provider or an employee of a provider for continuing education for any profession or trade licensed under this subdivision.

(b) A public member of the board shall be a person who is not, and never was, a member of the fuel gas fitting or plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing and/or fuel gas services or an activity directly related to plumbing and/or fuel gas, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

II. The board shall:

(a) Adopt rules as provided for in this subdivision.

(b) [~~Implement the licensing program under this subdivision.~~

~~(c)~~] Review and approve educational programs and providers.

[~~(d)~~] ***(c)*** Conduct hearings for disciplinary actions.

[~~(e)~~] ***(d)*** Review and recommend adoptions, exceptions, or omissions to technical standards as adopted under RSA 153:28.

[~~(f)~~] ***(e)*** Develop and recommend for the legislature future changes to this subdivision.

III. The members of the board shall be appointed by the governor and council as follows:

(a) Two licensed journeymen or master plumbers, who are actively working in the trade as plumbers.

(b) [~~Two~~] ***One*** licensed fuel gas [~~fitters~~] ***fitter***, [~~both of whom are~~] actively working in the trade as ***a*** fuel gas [~~fitters, and one of whom shall represent the propane fuel industry~~] ***fitter***.

(c) One certified heating equipment installer or heating equipment service person under RSA 153:16-b.

(d) [~~One licensed master plumber who is also a licensed fuel gas fitter and a certified heating equipment installer or servicer, actively working in the trade.~~

~~(e)~~] One public member who is not, and never was, a member of the plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing services or an activity directly related to plumbing, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

[~~(f) One certified water treatment technician, who shall be a nonvoting member of the board.~~]

IV. [~~The board shall hold at least 8 regular meetings each year, and may hold special meetings at such times as the business of the board may require. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide and in accordance with New Hampshire state law. A quorum of the board shall consist of 4 members.~~

~~V.~~] The board shall annually elect a chairman [~~and a vice-chairman~~] from among its members.

[~~VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.~~]

79:303 State Board of Fire Control; Mechanical Licensing Board; Repeals. The following are repealed:

I. RSA 153:28, II, relative to rulemaking regarding fees.

II. RSA 153:30, relative to expiration and renewal of licensure.

III. RSA 153:32, relative to disciplinary action.

IV. RSA 153:33, relative to appeals from board decisions.

V. RSA 153:37, relative to penalties.

VI. RSA 153:38, relative to voluntary certification of water treatment technicians.

79:304 Pharmacy; Board. Amend RSA 318:2 to read as follows:

318:2 Board. There shall be a pharmacy board consisting of [~~7~~] ***5*** members; including [~~6~~] ***4*** practicing pharmacists, at least one of whom shall be a full-time hospital pharmacist, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member shall be appointed to more than 2 consecutive terms and no member shall serve for more than 10 consecutive years. Only board members provided for in this section shall have the authority

to vote in board determinations.

79:305 Pharmacy; Rulemaking Authority. Amend RSA 318:5-a, IX to read as follows:

IX. [~~Procedures~~] ***Standards*** for the inspection of licensees;

79:306 Repeal; Pharmacy Rulemaking. The following are repealed:

I. RSA 318:5-a, VIII, relative to procedures for the conduct of hearings consistent with the requirements of due process.

II. RSA 318:5-a, X(e), relative to the establishment of the effective period of registration or certification for pharmacy technicians.

III. RSA 318:5-a, XI-a(e), relative to the establishment of the effective period of registration or certification for pharmacy interns.

IV. RSA 318:5-a, XI-c(e), relative to the establishment of the effective period of registration or certification for advanced pharmacy technicians.

79:307 Pharmacy Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a Inspectional Services. The [~~pharmacy board through the~~] office of professional licensure and certification shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

79:308 Pharmacy; Pharmacy Interns. Amend RSA 318:15-b to read as follows:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the [~~board~~] ***office of professional licensure and certification*** to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

79:309 Pharmacy Examinations and Licenses; Pharmacists. Amend RSA 318:18, I(b)(3) to read as follows:

(3) File proof satisfactory to the [~~board~~] ***office of professional licensure and certification***, substantiated by proper affidavits, of a minimum of one year (1,500 hours) internship activity in a community or institutional pharmacy in the United States or Canada or an equivalent program which has been approved by the board of pharmacy; and shall pass the national examination administered by the National Association of Boards of Pharmacy (NABP) to establish his or her fitness to practice the profession of pharmacy. The internship required in this section shall be service and experience in a community or institutional pharmacy under the supervision of a licensed pharmacist and shall be predominantly related to the selling of drugs and medical supplies; interpreting, compounding, preparing and dispensing of prescriptions; preparing of pharmaceutical products; keeping records and making reports required under federal and state statutes; and

otherwise practicing pharmacy under the immediate supervision and direction of a licensed pharmacist.

79:310 Pharmacists; Examinations and Licenses; Pharmacists. Amend RSA 318:18, II to read as follows:

II. The [~~board~~] ***office of professional licensure and certification*** may deny licensure as a pharmacist for grounds which include, but which shall not be limited to, prior conviction of a felony; or of a misdemeanor resulting from a violation of a federal, state or local drug or pharmacy-related law, rule, or regulation.

79:311 Pharmacy; Change in Name, Employment, or Residence. Amend RSA 318:26-a to read as follows:

318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced pharmacy technician, or pharmacy technician who changes his or her name, place or status of employment, or residence shall notify the [~~board~~] ***office of professional licensure and certification*** in writing within 15 days. For failure to report such a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy technician's license, or the pharmacy technician's registration. Reinstatement shall be made only upon payment of a reasonable fee as established by the board.

79:312 Pharmacy; Impaired Pharmacist Program. Amend RSA 318:29-a to read as follows:

318:29-a Impaired Pharmacist Program.

I. Any pharmaceutical peer review committee may report relevant facts to the board ***or office of professional licensure and certification*** relating to the acts of any pharmacist in this state if they have knowledge relating to the pharmacist which, in the opinion of the peer review committee, might provide grounds for disciplinary action as specified in RSA 318:29, II.

II. Any committee of a professional society comprised primarily of pharmacists, its staff, or any district or local intervenor participating in a program established to aid pharmacists impaired by substance abuse or mental or physical illness may report in writing to the board ***or office of professional licensure and certification*** the name of the impaired pharmacist together with the pertinent information relating to his impairment. The board ***or office of professional licensure and certification*** may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any pharmacist who may be impaired by substance abuse or mental or physical illness.

III. [~~Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the pharmacist's individual record in the board's office. A pharmacist or his authorized representative shall be entitled on request to examine the pharmacist's peer review or the pharmaceutical organization committee report submitted to the board and to place into the record a statement of reasonable length of the pharmacist's view with respect to any information existing in the report.~~

~~IV.~~] Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with an impaired pharmacist peer review committee, shall be confidential and are not to be considered open records unless the affected pharmacist so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the pharmacist licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

[~~V.~~] ***IV.***(a) No employee or member of the board, peer review committee member, pharmaceutical organization committee member, pharmaceutical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired pharmacist shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless he is found to have acted recklessly or wantonly.

[~~VI.(a)~~] ***V.*** The [~~board~~] ***office of professional licensure and certification*** may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited to, education, intervention and post-treatment monitoring.

[~~(b) The board may allocate an amount determined by the board from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).~~]

79:313 Pharmacy; Required; Compliance. Amend RSA 318:37 to read as follows:

318:37 Required; Compliance.

I. No person shall conduct or operate a pharmacy for the sale at retail of drugs and medicines unless such pharmacy is registered with and a permit therefor has been issued by the ***office of professional licensure and certification in accordance with rules adopted by the*** pharmacy board, except as provided in this chapter.

II.(a) No person shall conduct or operate a mail-order pharmacy located outside of this state by shipping, mailing, or delivering prescription drugs into this state unless such pharmacy is registered in New Hampshire and a permit has been issued by the New Hampshire pharmacy board.

(b) To obtain a permit, a mail-order pharmacy shall comply with each of the following:

(1) Maintain a license in good standing from the state in which the mail-order pharmacy is located;

(2) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** an application for registration [~~as provided by the office of professional~~

~~licensure and certification~~];

(3) Pay all appropriate registration fees;

(4) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state pharmacy license from the state in which the mail-order pharmacy is located;

(5) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state and federal controlled substance registrations from the state in which it is located, if controlled substances are to be shipped into this state.

(c) When requested to do so by the New Hampshire pharmacy board, each mail-order pharmacy shall supply the New Hampshire pharmacy board with any inspection reports, warning notices, disciplinary actions, notice of deficiency reports, or any other related reports from the state in which it is located concerning the operation of a mail-order pharmacy for review of compliance with state and federal drug laws.

(d) Except in emergencies that constitute an immediate threat to the public health and require expedited action by the board, the New Hampshire pharmacy board shall file a complaint with the licensing board of the state in which the mail-order pharmacy is located when known or suspected violations of the laws of the state in which the pharmacy is located are uncovered. If the licensing board in the state in which the mail-order pharmacy is located initiates disciplinary action, the New Hampshire pharmacy board may request the appropriate documents involved in the action for consideration of discipline against the pharmacy registration of the mail-order pharmacy. If no action is taken against the mail-order pharmacy by the licensing board of the state in which it is located, the New Hampshire pharmacy board may request copies of any investigation reports available from that state.

(e) The New Hampshire pharmacy board shall extend reciprocal cooperation to any state that licenses and regulates mail-order pharmacies for the purpose of investigating complaints against pharmacies located in New Hampshire or the sharing of information and investigative reports, as long as the other state shall extend the same reciprocal cooperation to the New Hampshire pharmacy board.

79:314 Pharmacy; Licensing of Limited Retail Drug Distributors Required. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-a, without first having obtained a license to do so from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight June 15 of every odd-numbered year.~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

79:315 Pharmacy; Licensing of Outsourcing Facilities Identified as Section 503B Facilities by

the United States Food and Drug Administration. Amend RSA 318:51-c, I-II to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a fee established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the pharmacy board~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient land, buildings, and security equipment as to properly carry on the business described in the application.

79:316 Pharmacy; Licensure of Research Organizations. Amend RSA 318:51-f, I-II to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the board of pharmacy~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient space and security equipment as to properly carry on the research operations described in the application.

79:317 Pharmacy; Licensure of Drug or Device Distribution Agents. Amend RSA 318:51-g, I to read as follows:

I. No person shall act as a prescription drug or device distribution agent, which includes controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy*** board.

79:318 Repeal; Pharmacists. The following are repealed:

I. RSA 318:5, relative to officers and duties.

II. RSA 318:6-a, relative to fees.

III. RSA 318:16-e, relative to telemedicine.

IV. RSA 318:21, relative to applicants from out of state.

V. RSA 318:23, relative to application fee.

VI. RSA 318:25, relative to renewal of license.

VII. RSA 318:26, relative to neglect to renew.

VIII. RSA 318:29, relative to disciplinary action.

IX. RSA 318:29-b, relative to denial of a license.

X. RSA 318:29-c, relative to immunity.

XI. RSA 318:30, relative to investigatory powers of the board.

XII. RSA 318:30-a, relative to temporary suspension.

XIII. RSA 318:31, relative to hearings.

XIV. RSA 318:33, relative to attendance.

XV. RSA 318:35, relative to association.

XVI. RSA 318:36, relative to information.

XVII. RSA 318:38, relative to permits and fees.

XVIII. RSA 318:55, relative to fines.

XIX. RSA 318:56, relative to unused prescription program.

XX. RSA 318:57, relative to definitions.

XXI. RSA 318:58, relative to donating unused drugs.

XXII. RSA 318:59, relative to rulemaking.

XXIII. RSA 318:60, relative to limited immunity.

79:319 Physical Therapy; Powers and Duties. RSA 328-A:3 is repealed and reenacted to read as follows:

328-A:3 Powers and Duties of the Board. The board shall:

I. Provide for the examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.

II. Regulate the practice of physical therapy by interpreting and enforcing this chapter.

III. Elect officers from its members necessary for the operations and obligations of the board. Terms of office shall be one year.

79:320 Physical Therapy; Rulemaking. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, [~~fees,~~] and renewal of, and disciplinary proceedings for certified animal physical therapists under RSA 328-A:15-b.

79:321 Physical Therapy; Examination. Amend RSA 328-A:7, I to read as follows:

I. The [~~board~~] ***office*** shall conduct, ***through a third party,*** examinations within the state at least quarterly [~~at a time and place prescribed by the board~~]. The passing score shall be determined by the board.

79:322 Repeals; Physical Therapy. The following are repealed:

I. RSA 328-A:15, II, relative to physical therapy, rights of consumers to privacy.

II. RSA 328-A:12, relative to unlawful practice of physical therapy.

III. RSA 328-A:13, relative to reporting violations.

79:323 State Licensed or Certified Real Estate Appraisers; Real Estate Appraiser Board. Amend RSA 310-B:4 as follows:

310-B:4 Real Estate Appraiser Board.

I. There is established [~~an independent~~] ***a*** real estate appraiser board [~~which shall be administratively attached to the office of state~~] ***within the office of professional licensure and certification***. The board shall be composed of the following [~~7~~] ***5*** members, appointed by the governor with the consent of council:

(a) Three real estate appraisers with a minimum of 5 years' experience, consisting of one New Hampshire certified residential appraiser, one New Hampshire certified general appraiser, and one New Hampshire certified appraiser who is a broker licensed under RSA 331-A; provided that no 2 appraiser members shall be members of the same private appraisal organization.

(b) One representative from a New Hampshire lending institution.

(c) [~~The banking executive director or designee.~~

~~(d) Two members~~] ***One member*** of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

II. All appointments shall be made within 90 days after the effective date of this chapter.

III. On or before July 1, 1991, each real estate appraiser member of the board shall be certified or licensed are a real estate appraiser under this chapter. One such member shall hold the residential license and one such member shall hold a general appraiser certificate.

IV. The term of each member shall be 3 years, except that, of the members first appointed, 3 shall serve for 3 years, 2 shall serve for 2 years, and 2 shall serve for one year.

V. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person[~~, except the executive director or designee,~~] shall serve as a member of the board for more than 2 consecutive terms. The appointing authority may remove a member for cause.

[~~VI. The board shall meet at least once each calendar quarter to conduct its business and more often on call of the chair, or when the chair is requested to do so by 4 or more members of the board. The action of the majority of the members of the board present and voting shall be deemed the action of the board, and at least 4 members shall be present and voting on every vote of the board. Places of future meetings shall be decided by the vote of members at meetings or, in the event of a special meeting, by the chair. Written notice shall be given by the chair to each member of the time and place of each meeting of the board at least 10 days in advance.~~]

[~~VII.~~] ***VI.*** The chairman of the board shall be elected from the board's members. [~~Neither the~~] ~~banking executive director nor his designee shall serve as chairman~~.

~~VIII. No board member shall be entitled to a per diem allowance. Board members shall be reimbursed for actual travel in the performance of official duties at the usual state employee rate.~~

~~IX. The members of the board shall be immune from any civil action or criminal prosecution for actions taken in their capacity as members of the board, provided that such action is taken in good faith and in the reasonable belief that the action was taken pursuant to the powers and duties of the board under this chapter.~~

~~X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.~~]

79:324 State Licensed or Certified Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5 as follows:

310-B:5 Licensure or Certification Process.

I. Applications for original license or certification, renewal license or certification and examinations shall be made in writing [~~to the board on forms approved by the board~~].

II. Appropriate fees, [~~as fixed by the board under rules established pursuant to RSA 541-A~~], shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the [~~board~~] ***office*** for transmittal to the federal government under Title XI.

III. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in this chapter and state that he understands the types of misconduct for which disciplinary proceedings may be initiated against a certified or licensed real estate appraiser, as set forth in this chapter.

79:325 State Licensed or Certified Real Estate Appraisers; Prohibited Conduct. Amend RSA 310-B:5-a as follows:

310-B:5-a Prohibited Conduct. A person licensed or certified [~~by the board~~] under this chapter, shall, after a hearing, be subject to disciplinary action as provided in RSA 310-B:18 for being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar offense or offenses; provided that, for the purposes of this section being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the sentence has been deferred or suspended.

79:326 State Licensed or Certified Real Estate Appraisers; Criminal History Records Checks. Amend RSA 310-B:6-a as follows:

310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the [~~board~~] ***office*** a criminal history record release form, as provided by the New Hampshire division of state police, office of safety,

which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office***.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the office of safety. The [~~board~~] ***office*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [~~board~~] ***office*** may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [~~board~~] ***office***. The [~~board~~] ***office*** shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

79:327 State Licensed or Certified Real Estate Appraisers; Examination Prerequisites. Amend RSA 310-B:8 as follows:

310-B:8 Examination Prerequisites.

I. As prerequisites to taking the examination for certification as a certified general real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A***.

II. As prerequisites to taking the examination for certification as a certified residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A***.

III. As prerequisites to taking the examination for licensure as a licensed residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board***, in accordance with rules adopted by the board pursuant to RSA 541-A***.

79:328 State Licensed or Certified Real Estate Appraisers; Experience Requirements. Amend RSA 310-B:9, II as follows:

II. Each applicant for license or certification shall furnish a signed, detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the board ***or office*** for examination a sample of appraisal reports which the applicant has prepared in the course of his or her appraisal practice.

79:329 State Licensed or Certified Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA 310-B:12-b, I as follows:

I. It is unlawful for a person to directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration issued by the [~~board~~] ***office*** under the provisions of this chapter.

(a) An applicant for registration as an appraisal management company in this state shall submit to the [~~board~~] ***office*** an application using the method prescribed and furnished by the office of professional licensure and certification.

(b) In the event a registration process is unavailable upon the effective date of this chapter, an appraisal management company already conducting business in this state may continue to conduct business in accordance with this chapter until the 120th day after a registration process becomes available.

79:330 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, I to read as follows:

I. An appraisal management company that applies to the [~~board~~] ***office*** for a registration to do business in this state as an appraisal management company shall not:

79:331 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, III to read as follows:

III. Each appraisal management company seeking to be registered in this state shall certify to the [~~board~~] ***office*** on an annual basis on a form prescribed by the [~~board~~] ***office*** that the appraisal management company has systems in place to verify that:

79:332 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Appraisal Review. Amend RSA 310-B:12-i as follows:

310-B:12-i Appraisal Management Company; Appraisal Review. Any employee of, or independent contractor to, an appraisal management company that performs a USPAP Standard 3 review of an appraisal report on property located in this state shall be an appraiser with the proper level of licensure issued by the [~~board~~] ***office***. Quality control examinations are exempt from this requirement as they are not considered a Standard 3 review.

79:333 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Registration Number. Amend RSA 310-B:12-m as follows:

310-B:12-m Appraisal Management Company; Registration Number.

I. The [~~board~~] ***office*** shall issue a unique registration number to each appraisal management company registered in this state pursuant to this chapter.

II. The [~~board~~] ***office*** shall maintain a list of the appraisal management companies registered in this state and the registration numbers assigned to such persons.

III. An appraisal management company registered in this state shall disclose the registration number provided to it by the [~~board~~] ***office*** on the engagement documents presented to an appraiser.

79:334 State Licensed or Certified Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16, I as follows:

I. A license or certificate issued under authority of this chapter shall bear a license or certificate number assigned by the [~~board~~] ***office***.

79:335 State Licensed or Certified Real Estate Appraisers; Repeals. The following provisions of RSA chapter 310-B are hereby repealed:

I. RSA 310-B:3-a, relative to penalty.

II. RSA 310-B:10, relative to term of licensure.

III. RSA 310-B:12, relative to nonresident licensure.

IV. RSA 310-B:12-a, relative to temporary practice.

V. RSA 310-B:12-e, relative to appraisal management company fee.

VI. RSA 310-B:13, relative to renewal.

VII. RSA 310-B:13-a, relative to lapse.

VIII. RSA 310-B:14, I relative to continuing education.

IX. RSA 310-B:18, relative to disciplinary proceedings.

X. RSA 310-B:18-b, relative to reissuance of license.

XI. RSA 310-B:19, relative to hearings.

XII. RSA 310-B:20, relative to fees.

XIII. RSA 310-B:21, relative to receipts.

XIV. RSA 310-B:23-a, relative to summons.

XV. RSA 310-B:24, VII, relative to rulemaking authority.

XVI. RSA 310-B:24, IX, relative to the requirements for public information requests.

79:336 New Hampshire Real Estate Practice Act; Repeals. The following provisions of RSA chapter 331-A are hereby repealed:

I. RSA 331-A:7, II relative to fees.

II. RSA 331-A:7, IV, relative to fees.

III. RSA 331-A:7, V, relative to orders.

IV. RSA 331-A:12-a, relative to inactive license status.

V. RSA 331-A:15, relative to issuance of licenses.

VI. RSA 331-A:17, relative to license amendments.

VII. RSA 331-A:18, relative to lapse of license.

VIII. RSA 331-A:19, relative to renewal of license.

IX. RSA 331-A:24, relative to fees.

X. RSA 331-A:25, IV, relative to rulemaking regarding fees.

XI. RSA 331-A:25, VII, relative to license certificates.

XII. RSA 331-A:25, X, relative to procedures.

XIII. RSA 331-A:25, XI, relative to conduct of hearings.

XIV. RSA 331-A:25, XIII, relative to procedures for renewal licenses.

XV. RSA 331-A:28, relative to disciplinary actions.

XVI. RSA 331-A:29, relative to disciplinary procedures.

XVII. RSA 331-A:30, relative to hearing procedures.

XVIII. RSA 331-A:31, relative to payment by the state.

XIX. RSA 331-A:33, relative to immunity.

XX. RSA 331-A:34, relative to unlawful practice.

XXI. RSA 331-A:35, relative to prosecution.

79:337 Professional Bondsmen; Approval and Registration. Amend RSA 598-A:1, as follows:

598-A:1 Approval and Registration. ***To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for registration of professional bondsmen shall be transferred to the office of professional licensure and certification effective July 1, 2023.*** No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification***; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on 5 separate occasions in said year shall be accepted thereafter during that year as bail or surety unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman as provided in this section.

79:338 Professional Bondsmen; Fees. Amend RSA 598-A:1-a to read as follows:

598-A:1-a Fees.

[~~I.~~] A person proposing to become bail or surety and registered as a professional bondsman shall pay to the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** an initial application fee. [~~of $400;~~] The fee shall be deposited in the [~~general fund by the state treasurer as unrestricted revenue~~] ***office of professional licensure and certification fund.***

[~~II. Thereafter, an annual renewal fee of $100 for the registration in each county of the state where a professional bondsman seeks to post bail shall be due and payable to the secretary of state~~

~~or his designee on December 30 for the ensuing year. The fee shall be deposited in the general fund by the state treasurer as unrestricted revenue.~~]

79:339 Professional Bondsmen; Revocation. Amend RSA 598-A:2 as follows:

598-A:2 Revocation. A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Approval and registration under this chapter may be revoked at any time by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** and shall be revoked in case such a bondsman fails for 30 days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full within 30 days after demand shall immediately notify the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** or [~~his~~] designee in writing.

79:340 Professional Bondsmen; List of Professional Bondsmen. Amend RSA 598-A:3, as follows:

598-A:3 List of Professional Bondsmen. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall furnish all superior court clerks, all district courts having authority to accept bail, all jails, and all police stations with a list of the names of all persons registered as professional bondsmen and shall notify such clerks, courts, jails, and police stations of any change in a bondsman's status. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall update the list as necessary, but not less than once per year. The list shall include the following statement in bold type: "You are encouraged to contact more than one bail bondsman because not all bail bondsmen charge the same fees or provide the same services." The unaltered list shall be displayed prominently and visibly to defendants in all courts, jails, and police stations. No other list shall be displayed, furnished, or provided.

79:341 Professional Bondsmen; Rules. Amend RSA 598-A:4 as follows:

598-A:4 Rules of the [~~Secretary of State or His Designee~~] ***Executive Director***. All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification***.

79:342 Refund of Fees; Repealed License Requirements. Any holder of an active license for a profession whose license requirement is repealed by this act shall be refunded their license fee for their current active license.

79:343 Effective Date. Sections 266-341 of this act shall take effect September 1, 2023.

79:344 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of $500 shall be paid during state fiscal year 2024 to retired members of the retirement system receiving an allowance, or any beneficiary of such a member who is receiving a survivorship pension benefit, who are eligible as follows:

(a) The member retired with at least 20 years of creditable service;

(b) The member retired and has been receiving an allowance for at least 5 years prior to or on July 1, 2023.

(c) The annual retirement allowance of the member on June 30, 2023 is not greater than $40,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The total cost of the additional allowances, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund in the fiscal year ending June 30, 2023. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:345 Effective Date. Section 344 of this act shall take effect June 30, 2023.

79:346 Budget Trailer Bill; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9:2-a to read as follows:

9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time ***and shall be publicly posted on the department of administrative services' website on the date of the transmittal.***

79:347 Department of Administrative Services; General Fund Appropriation Lapse; Report. For the biennium ending June 30, 2025, the department of administrative services shall provide a report to the fiscal committee of the general court on the current estimated general fund appropriation lapse for each fiscal year. Said reports shall be due on the 15th day of December, February, April, and June of each fiscal year.

79:348 Administrative Services; Public Works Design and Construction; Definition of Project. Amend RSA 21-I:78, IX to read as follows:

IX. "Project" means any construction, reconstruction, alteration, or maintenance in any building, plant, fixture, or facility.

(a) The term shall include those projects relating to buildings, plants, fixture, or facilities formerly administered through the department of transportation, division of public works.

(b) The term shall include projects relating to state trails, roads, bridges, and related maintenance and use of facilities under fish and game provisions in title XVIII, public recreation provisions in title XIX, and forestry provisions in title XIX-A. The

commissioner may waive requirements for approval by governor and council for short term rentals of equipment contracted for or acquired for the purposes of projects under this subparagraph, provided such projects are reported quarterly to the fiscal committee of the general court.

(c) The term shall not include construction, reconstruction, alteration, or maintenance of highways, bridges, or other items directly related to transportation, which matters shall be managed by the department of transportation.

79:349 Revenue Information Management System Account. Amend RSA 21-J:1-b, I to read as follows:

I. There is hereby established a nonlapsing revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. ***If the revenue information management systems account revenue is not sufficient to cover the principal and interest on the bonds and notes to fund the RIMS project, the governor is authorized to draw a warrant from funds not otherwise appropriated.*** Said funds shall not be used for any other purpose.

79:350 New Section; Electronic Licensing, Certification, and Registration System; Department of Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new section:

425:12-a Electronic Licensing, Certification, and Registration System. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of all departmental licensing, certification, and registration duties. Such system shall be capable of receiving electronically transmitted product registrations, license applications, certificate applications, and related materials. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

79:351 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing, Certification, and Registration System. For the purpose of developing an electronic licensing, certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of $360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of

any money in the treasury not otherwise appropriated.

79:352 Refuse Reduction; Disposal Prohibited. Amend the section heading of RSA 149-M:27 to read as follows:

149-M:27 [~~Refuse Reduction~~] ***Disposal Prohibited.***

79:353 New Paragraph; Food Waste Disposal. Amend RSA 149-M:27 by inserting after paragraph IV the following new paragraph:

V.(a) Beginning February 1, 2025, any person generating one ton of food waste per week or greater shall not dispose of such waste in a landfill or incinerator provided that:

(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

(2) The alternative facility has adequate capacity to accept the food waste.

(b) Food waste prohibited from disposal under subparagraph (a) shall be separated from other types of solid waste and managed in accordance with one or more of the following methods, in order of preference:

(1) Reduction of the amount generated at the source;

(2) Consumption by humans;

(3) Consumption by animals;

(4) Composting, digestion, or land application as appropriate; and

(5) Energy recovery not involving combustion.

79:354 Definitions; Food Waste. Amend RSA 149-M:4, IX-a to read as follows:

IX-a. ***"Food waste" means the organic residues generated by the handling, preparation, storage, sale, and serving of foods and beverages. "Food waste" includes pre-consumer and post-consumer organic residues, food scraps, and non-petroleum oil used for food preparation provided it does not contain sanitary wastewater.***

IX-b. "General permit" means a permit which contains terms and conditions applicable to a specific category of facility, which applies to any facility in that category which has submitted the required information and agreed to abide by the stated terms and conditions.

79:355 Solid Waste; Definitions; Source Reduction. RSA 149-M:4, XXIV is repealed and reenacted to read as follows:

XXIV. "Source reduction" means the practice of reducing the quantity or toxicity of waste generated at the source, before recycling, processing, disposal or treatment, by changing the processes that first generated the waste. Source reduction includes waste reduction.

79:356 Department of Environmental Services; New Position; Waste Management Specialist III. There is established the position of Waste Management Specialist III to administer the provisions of RSA 149-M:27, V. The position shall be funded from the solid waste management fund established under RSA 149-R:3.

79:357 Effective Date. Sections 352-356 of this act shall take effect January 1, 2024.

79:358 Definitions; PFAS Fund and Programs. Amend RSA 485-H:2, IV to read as follows:

IV. "PFAS [~~loan~~] ***response*** fund" means the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

79:359 Implementation of Drinking Water Protection Program; PFAS Response Fund. Amend RSA 485-H:3, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made and will make reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party after the loan is provided is applied to early repayment of such loan to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of a PFAS drinking water standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness or grant. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

79:360 Implementation of Groundwater, Surface Water and Aquatic Life Protection; PFAS Response Fund. Amend RSA 485-H:4, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party at a later time is applied to early repayment of the loan from the PFAS [~~loan~~] ***response*** fund to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of an applicable PFAS standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

79:361 New Subparagraph; Duties of the Department; PFAS Response. Amend RSA 485-H:8, I by inserting after subparagraph (d) the following new subparagraphs:

(e) Investigating, testing, and monitoring PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

(f) Conducting scientific investigation to support development of appropriate regulatory standards for PFAS, and development and implementation of treatment and remediation methods for PFAS in air, water, soil and other media.

79:362 PFAS Response Fund Established. Amend RSA 485-H:10 to read as follows:

485-H:10 PFAS [~~Remediation Loan~~] ***Response*** Fund Established. There is hereby established in the department the PFAS [~~remediation loan~~] ***response*** fund which shall be maintained [~~by the state treasurer in~~] ***as*** distinct and separate [~~custody~~] from all other funds[~~, notwithstanding RSA 6:12~~]. The [~~state treasurer may invest the~~] PFAS [~~remediation loan~~] ***response*** fund ***shall be invested*** in accordance with RSA 6:8. Any earnings on PFAS [~~remediation loan~~] ***response*** fund moneys shall be added to the PFAS [~~remediation loan~~] ***response*** fund. All moneys in the PFAS [~~remediation loan~~] ***response*** fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS [~~remediation loan~~] ***response*** fund shall be used to fund ***departmental duties as outlined in RSA 485-H:8, including*** loans***, grants,*** and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds related to the PFAS [~~remediation loan~~] ***response*** fund shall be credited to the PFAS [~~remediation loan~~] ***response*** fund.

79:363 Application of Receipts; PFAS Response Fund. Amend RSA 6:12, I(b)(361) to read as follows:

(361) Moneys deposited in the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

79:364 PFAS Response Fund. Amend 2022, 326:10 to read as follows:

326:10 Appropriation; PFAS [~~Remediation Loan~~] ***Response*** Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the PFAS [~~remediation loan~~] ***response*** fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. ***Up to 10 percent of the moneys appropriated under this section may be used to fund the duties of the department outlined in RSA 485-H:8, I.***

79:365 Department of Environmental Services; Appropriation; PFAS Response Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the PFAS response fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:366 Effective Date. Sections 358 -364 of this act shall take effect upon its passage.

79:367 Effective Date. Section 365 shall take effect June 30, 2023.

79:368 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as

follows:

III. The department is authorized to solicit funds from [~~the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section~~] ***any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives.*** [~~Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.~~]***Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.***

79:369 Appropriation; Solid Waste Management Fund. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the solid waste management fund established under RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:370 Effective Date. Section 369 of this act shall take effect June 30, 2023.

79:371 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such additional justices to preside over cases assigned to the land use review docket, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of appeal. At the structuring conference the court shall set a deadline for the filing with the court of the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of the certified record. The court shall issue a decision on the merits within 60 days of the hearing. The court may extend any of the deadlines established in this paragraph upon agreement of the parties or for other good cause shown, but if the extension is based upon good cause, the court shall articulate in its order granting the extension the specific facts and circumstances that warrant the extension.

79:372 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and [~~21~~] ***22*** associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term, he or she may return to the position of associate justice, whether or not an associate justice vacancy then exists.

79:373 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA 110-B:55, I to read as follows:

I. Fines may be paid to a military court or to an officer executing its process. The amount of any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the same may be collected with lawful costs of collection, as in the case of executions issued in action founded upon torts. ***Fines collected shall be paid over to the state treasurer and credited to the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.***

79:374 Department of Military Affairs and Veterans Services; New Hampshire National Guard Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the

purpose of encouraging enlistment in the national guard there is hereby established a New Hampshire national guard enlistment incentive program. This program authorizes a cash incentive up to [~~$500~~] ***$1,000*** to current members of the New Hampshire national guard in the pay grades of E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service recruit that they bring into the New Hampshire national guard.

79:375 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive Program. Amend RSA 110-B:61, I to read as follows:

I. There is hereby established a fund to be known as national guard enlistment incentive program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of encouraging enlistment in the national guard and shall not be used for any other purpose. The adjutant general shall oversee expenditures from the fund. The moneys in the fund shall be ***continually appropriated and*** nonlapsing.

79:376 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

110-B:62 Oversight and Administration. The adjutant general shall [~~adopt rules pursuant to RSA 541-A relative to~~] ***establish procedures necessary for*** the administration of the enlistment incentive program and relative to its execution by the New Hampshire Army and Air National Guard recruiting offices in coordination with the department of military affairs and veterans services.

79:377 Department of Military Affairs and Veterans Services; Postsecondary Educational Assistance; Eligibility Determinations. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility Determinations. Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall ***establish*** [~~adopt rules, pursuant to RSA 541-A, and~~] procedures [~~deemed by the adjutant general to be~~] necessary to carry out and monitor the educational assistance provided by this subdivision.

79:378 Effective Date. Sections 373 - 377 of this act shall take effect 60 days after its passage; provided, however, that if HB 330 of the 2023 regular legislative session becomes law, then sections 373 - 377 of this act shall not take effect.

79:379 Department of Corrections; Division of Personnel and Information; Personnel Management; Recruitment and Retention Program. RSA 21-H:4, V(a) is repealed and reenacted to read as follows:

(a) Personnel management, recruitment, and retention. The department shall develop a program for the recruitment, selection, placement, and retention of qualified applicants for the New Hampshire department of corrections.

(1) The program may include expenditures for recruitment and retention activities and incentives, including but not limited to:

(A) National Corrections Professionals Week recognition activities at all departmental sites to support employee retention, which may include a paid meal for the site during the week, physical awards and gift cards with a value of less than $25 as performance incentives based on departmental policies for employee recognition, and items issued to employees that are within the financial scope of the department's current expense appropriations in expenditure class 020.

(B) Referral fees or bonuses for active employees or newly hired applicants who have not been employed by the state through a policy approved by the commissioner.

(2) Any recruitment or retention incentives received by an employee pursuant to this subparagraph shall not be considered gifts under RSA 15-B.

(3) Referral of applicants by current department employees for the purpose of receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued by the director regarding the referral program shall require that the benefits of the program shall be equally available to all department employees, except as specified in subparagraph (1)(B), and subject to uniform criteria established by the director.

(4) Any expenditures made for recruitment or retention incentives pursuant to this subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

79:380 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall have discretionary authority to pay burial and wake expenses in an amount not to exceed $10,000 for an employee whose death occurs while on duty with the department of corrections and when the deceased employee's next of kin demonstrates an inability to afford the burial or wake expenses.

79:381 New Subdivision; Contact Person Notification Program. Amend RSA 106-B by inserting after section 34 the following new subdivision:

Contact Person Notification Program

106-B:35 Definitions. As used in this subdivision:

I. "Contact person notification program" or "program" means the program developed and operated pursuant to this subdivision.

II. "Law enforcement officer" means any state, county, or municipal law enforcement officer.

III. "Participating person" means a person:

(1) Who voluntarily provides to a law enforcement agency contact information for a

person or persons to assist with communications and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person; or

(2) Who has a legal guardian under RSA 464-A and for whom the legal guardian provides to a law enforcement agency contact information to assist with communications, and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person.

106-B:36 Contact Person Notification Program.

I. The division of state police shall develop and implement a contact person notification program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. The program shall provide the law enforcement officer with access to contact information for a person that is voluntarily submitted by a participating person or the legal guardian of a participating person. The program shall be capable of interfacing with the state police online telecommunications system (SPOTS).

II. The division of state police shall develop and implement standards of procedure for the operation of the program for law enforcement agencies consistent with policies adopted by the department of safety. The standards shall address processing the application of a participating person or that person's legal guardian, determining the validity of identity and legal guardianship information, entering contact information into the state police online telecommunications system (SPOTS), procedures for a participating person or that person's legal guardian to withdraw from the program, and procedures for a law enforcement officer to access contact information.

79:382 Appropriation; Department of Safety; Contact Person Notification Program. The sum of $50,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety, division of state police for establishment and administration of the contact person notification program established in RSA 106-B:36. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:383 The sum of $150,000 is hereby appropriated for the fiscal year ending June 30, 2023, to the department of education for the purpose of contracting with the National Student Clearinghouse Student Tracker Program for each public school district in New Hampshire. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:384 Effective Date. Section 383 of this act shall take effect June 30, 2023.

79:385 New Paragraph; Math Learning Communities Program in Public Secondary Schools; Structure. Amend RSA 193-I:2 by inserting after paragraph III the following new paragraph:

IV. The community college system of New Hampshire shall annually submit a report listing the New Hampshire high schools that are partners in the math learning communities program to

the department of education, the house education committee and the senate education committee no later than October 1. The submitted report shall contain, but not be limited to, the total number of students participating in the advanced mathematical foundation and quantitative reasoning courses; the number of summer institute participants; a summary of student achievement and growth using data based upon the Next-Generation Accuplacer (QAS) exam and the SAT math examination; and any other information as determined by the community college system of New Hampshire.

79:386 Appropriation; Community College System of New Hampshire. The sum of $200,000 for the fiscal year ending June 30, 2024 and the sum of $200,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the community college system of New Hampshire for the purpose of continuing the math learning communities program in partnership with New Hampshire high schools. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:387 Appropriation; Community College System of New Hampshire; Promise Program. The sum of $3,000,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the community college system of New Hampshire for the New Hampshire promise program for the purpose of supporting access and affordability of postsecondary education for New Hampshire residents. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:388 Effective Date. Section 387 of this act shall take effect June 30, 2023.

79:389 The sum of $2,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the community college system of New Hampshire to expand workforce credential programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:390 Effective Date. Section 389 of this act shall take effect June 30, 2023.

79:391 Duties of the Department of Health and Human Services; Review of Rates for Child Day Care Services. For the biennium ending June 30, 2025, the department of health and human services shall review the rates established for the purchase of child day care services on behalf of eligible persons. This review shall consider the effects of the established rates on current costs, quality and availability of services. The commissioner shall adjust child care eligibility to 85 percent of the state median income as defined by the United States Census Bureau. If at any time the commissioner determines that funding is insufficient to provide services to those meeting the eligibility criteria, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

79:392 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2025, whether there is sufficient funding in account 05-95-42-421110-2977,

class 536, to fund employment-related child care services to avoid a wait list and support greater utilization of employment related childcare. If at any time the commissioner determines that funding is insufficient, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistant to Needy Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report quarterly to the fiscal committee of the general court on any funds expended on employment-related child care services, including funds budgeted in account 05-95-42-421110-2977 as well as federal TANF funds authorized by this section.

79:393 Duties of the Department of Health and Human Services; Child Care Services Reimbursement Rates. For the biennium ending June 30, 2025, the department of health and human services shall set child care services reimbursement rates across all child care programs to match the 75th percentile of market rate survey or allow for rates to be set through an alternative "true cost of care" mechanism to be defined by the department of health and human services. If at any time the commissioner determines that funding is insufficient to set service rates at the 75th percentile, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

79:394 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed and reenacted to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by general funds or by voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription drug affordability board administration fund, which shall be kept distinct and separate from all other funds. The fund shall be appropriated to and administered by the board. Voluntary contributions under this section shall be deposited in the fund. The board shall use the fund, consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the board. The fund may be used to pay administrative, technical, legal support, or other costs incurred by the board under this chapter. The state treasurer may invest moneys in the fund as provided by law, and all interest received on such investment shall be credited to the fund. The dedicated fund shall be subject to the provisions of RSA 6:12-j.

79:395 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures; Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and disclosures, confidentiality, and registration by the prescription drug affordability board shall be suspended for the biennium ending June 30, 2025.

79:396 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties, is repealed.

79:397 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is

repealed and reenacted to read as follows:

VI. The board shall be administratively attached to the department of health and human services. For a limited time, the board may employ an executive director, who shall be an unclassified employee. The executive director shall be appointed by and serve at the pleasure of the board. Said position shall be effective for no more than 2 years following the date of hire of the individual first selected to fill the position. The board may also employ one contracted employee or more, dependent on the availability of funds.

79:398 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those for consulting services or personal contract services, shall be subject to the competitive bid process. Such contracts shall also be approved by the fiscal committee of the general court, the governor, and the executive council.

126-BB:12 Financial Report. The board shall annually report on any moneys spent by the board, the source of such funds, the purpose of spending such funds, and the progress of any project on which the funds were spent. Such report shall be submitted to the fiscal committee of the general court, the committees having jurisdiction over the board in both the house of representatives and the senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

79:399 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by inserting after section 67 the following new section:

400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with the prescription drug affordability board established in RSA 126-BB, shall issue a report on the elimination of redundancies related to the collection, analysis, and reporting on prescription drug prices between the two organizations, including proposed legislation on such elimination, with the overarching goal of promoting efficiency and economy. This report shall be submitted to the health and human services oversight committee established in RSA 126-A:13, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 1, 2024.

79:400 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

79:401 Effective Date. Section 400 of this act shall take effect October 1, 2024.

79:402 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the

New Hampshire granite advantage health care program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of each managed care organization awarded contracts as vendors under the Medicaid managed care program, appointed by the governor.

(6) A representative of a hospital that operates in New Hampshire, appointed by the New Hampshire Hospital Association.

(7) A public member, who has health care expertise, appointed by the senate president.

(8) A public member, who currently receives coverage through the program, appointed by the speaker of the house of representatives.

(9) A public member representing the interests of small businesses in New Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

(10) A representative of the medical care advisory committee, department of health and human services, appointed by the commissioner of the department of health and human services.

(11) A licensed physician, appointed by the New Hampshire Medical Society.

(12) A licensed mental health professional, appointed by the National Alliance on Mental Illness New Hampshire.

(13) A licensed substance use disorder professional, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.

(14) An advanced practice registered nurse (APRN), appointed by the New Hampshire Nurse Practitioner Association.

(15) The chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this commission.

II.(a) The commission shall evaluate the effectiveness and future of the program. Specifically the commission shall:

(1) Review the program's financial metrics.

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to, whether the program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Review up-to-date information regarding changes in the level of uncompensated care through shared information from the department, the department of revenue administration, the insurance department, and provider organizations and the program's impact on insurance premium tax revenues and Medicaid enhancement tax revenue.

(6) Evaluate reimbursement rates to determine if they are sufficient to ensure access to and provider capacity for all behavioral health services.

(7) Review the reasons beneficiaries are not re-enrolled in the program.

(8) Review the program's provider reimbursement rates and overall financing structure to ensure it is able to provide a stable provider network and sustainable funding mechanism that serves patients, communities, and the state of New Hampshire.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

(c) The commission shall meet at least annually.

III. The members of the commission shall elect a chairperson from among the members. Eight members of the commission shall constitute a quorum.

IV. On or before November 1, the commission shall make annual recommendations for any proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor, as appropriate.

79:403 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed. Amend RSA 176-A:1, III to read as follows:

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3[~~; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund established in RSA 126-AA:3~~].

79:404 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend

RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount [~~of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV and~~] ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

79:405 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse prevention and treatment fund [~~pursuant to RSA 176-A:1, IV~~] ***in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year***;

79:406 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

79:407 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend 2018, 342:25, II to read as follows:

II. Paragraphs III and VII of section 24 of this act shall take effect December 31, [~~2023~~] ***2030***.

79:408 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

79:409 Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the actual amount of the final agreed contribution from the Foundation for Healthy Communities, anticipated to take place by December 31, 2023.

79:410 Effective Date. Sections 403 - 405, 407, and 408 of this act shall take effect December 31, 2023.

79:411 Effective Date. Section 406 of this act shall take effect November 1, 2028.

79:412 New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA 167:68 by inserting after paragraph III the following new paragraph:

IV.(a) Pursuant to the state option under the section 5113 of the Consolidated Appropriations Act of 2023 to expand maternity care under Medicaid and section 1902(e)(16) of the Social Security Act (42 U.S.C. 1396a(e)), the commissioner of the department of health and human services shall submit, no later than August 15, 2023, a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and implement 12 months of continuous coverage for the entire postpartum period. This benefit shall be available to anyone who received medical assistance under the state plan for all pregnancy-related and postpartum medical assistance available under the state plan through the last day of the month in which the 60-day period (beginning on the last day of her pregnancy) ends, remain eligible under the state plan for medical assistance for the period beginning on the first day occurring after the end of such 60-day period and ending on the last day of the month in which the 12-month period (beginning on the last day of her pregnancy) ends.

(b) The medical assistance provided for a pregnant or postpartum woman under this section shall, consistent with Section 1902(e)(16) include all items and services covered under the state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

(c) The purpose of the program shall be, through ensuring continuous coverage for a 12-month postpartum period, to increase identification and mitigation of preventable pregnancy related and pregnancy associated morbidity and mortality, including those related to substance use disorder and mental illness.

(d) On January 1, 2024, the commissioner shall begin submitting quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's progress in obtaining and implementing the state plan amendment. The quarterly reports shall include the department's plans for reducing administrative burdens for enrollees and the department's efforts to expand access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to subparagraph (a). Reports submitted under this subparagraph shall also be posted on the department's website.

79:413 Appropriation. The sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of expanding postpartum health care services under the state Medicaid plan as provided in this act. The governor shall determine if any discretionary funds appropriated in the

American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated.

79:414 Effective Date. Section 413 shall take effect on June 30, 2023.

79:415 New Subdivision; Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services

126-A:99 Medicaid Doula Coverage.

I. Notwithstanding any other provision of this chapter, doula services shall be covered under the medical assistance for eligible Medicaid beneficiaries.

II. As used in this section, "doula services" means services provided by a highly-qualified doula certified by the state pursuant to RSA 310-A:222 and designed to provide physical, emotional, and educational support to pregnant women before, during, and after childbirth. Doula services include the following:

(a) Support and assistance during labor and childbirth.

(b) Prenatal and postpartum support and education.

(c) Breastfeeding assistance and lactation support.

(d) Parenting education.

(e) Support for a birthing person following loss of pregnancy.

III. The department of health and human services is authorized to take any action to include doula services in the medical assistance program, including seeking waivers or amending the Medicaid state plan to provide reimbursement for doulas who provide Medicaid eligible services to eligible Medicaid beneficiaries.

IV. Not later than January 31, 2025, the commissioner shall report to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor, a set of metrics determined by the department of health and human services.

V. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this section. The rules shall address the requirements and expertise of practicing doulas, doula training providers, and home visiting experts. Every 2 years, the department shall assess the rates of reimbursement for doula services and adjust rates accordingly.

126-A:100 Medicaid Coverage of Lactation Services; Reimbursement Required.

I. The department of health of health and human services shall cover lactation services for Medicaid recipients as a pregnancy-related service under New Hampshire's Medicaid program.

II. The department is authorized to use the following Medicaid coverage categories to reimburse lactation services:

(a) Inpatient hospital services, other than services in an institution for mental disease, per Social Security Act (SSA) section 1905(a)(1);

(b) Outpatient hospital services, per SSA section 1905(a)(2)(A) and 42 C.F.R. section 440.10;

(c) Early and periodic screening, diagnostic, and treatment services for individuals who are eligible under the plan and are under the age of 21, per SSA section 1905(a)(4)(B);

(d) Physicians' services furnished by a physician under the physician's supervision, whether furnished in the office, the patient's home, a hospital, or a nursing facility, or elsewhere, per SSA section 1905(a)(5)(A);

(e) Services furnished by a nurse-midwife, which the nurse-midwife is legally authorized to perform under State law, per SSA section 1905(a)(17);

(f) Freestanding birth center services, per SSA section 1905(a)(28); and

(g) Services furnished by nurse practitioners per 42 C.F.R. section 440.166 and other licensed practitioners per 42 C.F.R. section 440.60.

III. Reimbursable lactation services shall include:

(a) Breastfeeding education;

(b) Individual lactation consultation; and

(c) Equipment rentals.

126-A:101 Medicaid Coverage of Donor Breast Milk; Reimbursement Required.

I. The department of health and human services shall provide reimbursement under the medical assistance program for donor breast milk provided to an infant receiving benefits under this chapter by organizations approved by the department if a physician or physician assistant licensed in this state or an advanced practice registered nurse licensed in this state signs an order state the following:

(a) The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and

(b) The infant:

(1) Was born at a birth weight of less than 1,500 grams;

(2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;

(3) Is not appropriately gaining weight or growing;

(4) Has formula intolerance and is experiencing weight loss or difficulty feeding;

(5) Has low blood sugar;

(6) Has congenital heart disease;

(7) Has received or will receive an organ transplant; or

(8) Has another medical condition for which donor breast milk is medically necessary.

II. The department shall adopt rules pursuant to RSA 541-A to implement the program described in this section.

79:416 Medicaid State Plan; Requiring Coverage of Donor Breast Milk. The department of health and human services shall prepare and submit a Medicaid state plan amendment or waiver as necessary to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services no later than September 30, 2023 that provides or requests, as appropriate, Medicaid coverage consistent with RSA 126-A:101 for the coverage of donor breast milk for eligible infants.

79:417 Appropriation; Reimbursement for Donor Breast Milk under the Medicaid Program. The sum of $250,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for donor breast milk for eligible infants under the state Medicaid plan as provided in section 416 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-3, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

79:418 Appropriation; Reimbursement for Doulas under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for state-certified doulas under the state Medicaid plan as provided in section 415 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

79:419 Appropriation; Reimbursement for Lactation Services under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for lactation services under the state Medicaid plan as provided in section 415 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue

Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

79:420 Effective Date. Sections 417-419 of this act shall take effect June 30, 2023.

79:421 New Section; Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), no later than January 1, 2024, the commissioner of the department of health and human services shall submit to the Centers for Medicare and Medicaid Services (CMS) the state plan amendments required under Medicaid and the Children's Health Insurance Program (CHIP) to expand coverage to otherwise eligible pregnant women and children who are lawfully residing in the United States. The state plan amendments shall elect the option for children up to age 19 and shall elect the option for pregnant women through the postpartum period. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

79:422 Appropriation: Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. The sum of $336,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the state share of the expansion of Medicaid and CHIP to include certain children and pregnant women as provided in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:423 Department of Health and Human Services; Purchase of Scanner. Of the amount appropriated to the department of health and human services in account 05-95-42-421510-6643, Sununu Youth Services Center, for the fiscal year ending June 30, 2024, an amount not to exceed $325,000 shall be used for the purpose of purchasing a full body scanner.

79:424 Transfer Authority; Sununu Youth Services Center. Notwithstanding RSA 9:16-a or any other law to the contrary, for the biennium ending June 30, 2025, the department of health and human services shall have the authority to transfer between all class lines in account 05-95-42-421510-6643, Sununu Youth Services Center.

79:425 Declaration of Purpose. New Hampshire voters passed the Right of Privacy into the state constitution in November 2018 with an 81 percent approval. With that vote, state government

culture and behavior needed to be shaped by the words, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent". The department of health and human services has been subject to the Health Insurance Portability and Accountability Act since 1996 which drove initial efforts to develop a culture and infrastructure to protect personal data privacy. As a holder of personal information in state government, the department has a responsibility to demonstrate to the public the state's commitment to actively and overtly respect personal privacy, including privacy of personal information. Establishing and maturing a culture of privacy is core to successfully driving future efforts to implement and enhance privacy policies, procedures, and practices. Continuous improvement requires appropriate governance and policy leadership.

79:426 New Subdivision; Data Privacy and Information Technology Security Governance Board. Amend RSA 126-A by inserting after section 101 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:102 Data Privacy and Information Technology Security Governance Board Established. There is hereby established a data privacy and information technology security governance board to oversee the department's use of data, data privacy, and information technology security that shall be maintained by the department of health and human services.

126-A:103 Membership; Quorum.

I. The data privacy and information technology security governance board shall consist of the following members:

(a) The commissioner of the department of health and human services, who shall serve as the governance board chair.

(b) The department's privacy officer.

(c) Three directors of the department who have responsibility for one of the following areas: Medicaid services, public health, behavioral health, children, youth and families, or long-term support and services.

(d) The director of the department's bureau of human resource management.

(e) The director of the department's bureau of information services.

(f) The department's chief legal officer.

(g) The commissioner of the department of information technology.

(h) Up to 2 additional voting members appointed by the commissioner of the department of health and human services, if needed.

II. A quorum of this board shall consist of the named positions being in attendance with greater than 50 percent present. Members may delegate authority to represent them for the purposes of maintaining a quorum. The chair of the board may also delegate authority to another appropriate member of the governance board to serve during a specified meeting.

126-A:104 Duties.

I. The data privacy and information technology security governance board shall:

(a) Meet at least 3 times a year and post public facing meeting minutes within 2 weeks of the completion of each meeting on the department's web page.

(b) Become educated in what data governance means, how it will work for the organization, and what it means to embrace data governance and activate enterprise data stewards.

(c) Actively promote improved data governance practices across the department.

(d) Identify and approve of pivotal data governance roles and responsibilities for the department including cross-enterprise domain stewards and coordinators.

(e) Advise, review, and approve the department's data control, governance, and privacy practices in compliance with federal and state law and federal and state information privacy and security policies, with the goal to meet or exceed private market benchmarks for governance, risk management, and compliance.

(f) Drive strategic and timely implementation of a department-wide privacy policy, related procedures and processes to operationalize policy-derived controls, and effective risk management methodologies, including industry standards such as privacy impact assessments and privacy by design.

II. The data privacy and information technology security governance board may solicit information from any person or entity the board deems relevant to its quest.

126-A:105 Risk Management.

I. The department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment (PIA).

II. The assessment and plan shall:

(a) Assess risks to an individual's right to privacy within the department's information technology systems where the individual does not possess immediate control over their information.

(b) Recommend alternatives to both mitigate the risks and achieve the stated objectives of the department's systems.

(c) Identify those individuals and offices within the department who shall be directly accountable for the assessment and plan, the system at the time the assessment and plan are compiled, and any approved alternatives and mitigations as a result of the assessment and plan.

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2025.

IV. The assessment and plan shall be approved and may be acted upon by the commissioner. All assessments and plans conducted before the date of the next data privacy and information technology security governance board meeting shall be submitted to the board for review.

79:427 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be information technology manager IV, labor grade 32, step 7.

IV. The sum of $300,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

V. The department is authorized to use contract support available from funds prior to July 1, 2025.

79:428 Findings. The general court finds that given the statistically significant excess in the number of cases of kidney cancer in Merrimack, New Hampshire found by the department of health and human services, the known detection of environmental contaminants that have been associated with kidney cancer, and a trend of increasing incidence of kidney cancer over time, the department recommends that a feasibility study as determined by the New Hampshire Cancer Concern Investigation Protocol, Phase 3 be conducted. The general court further finds that a Phase 3 feasibility study would determine if an epidemiological study (Phase 4) is warranted and would identify appropriate cancers and health outcomes for inclusion in such study.

79:429 Appropriation; Department of Health and Humans Services; Phase 3 Feasibility Study.

I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025, to the department of health and human services to enter into a contract with an academic or research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study for the town of Merrimack to further understand potential exposures that may contribute to the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such funds shall be nonlapsing and appropriated to the department for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. In order to provide funding for said appropriation, and subject to prior review by the joint

legislative oversight committee on health and human services established in RSA 126-A:13, the department shall first use any available grant funding or any other non-state funds which may be used for this purpose.

79:430 General Fund Transfer to Highway Fund. The sum of $10,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the highway fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:431 Effective Date. Section 430 of this act shall take effect June 30, 2023.

79:432 Purpose Statement. The general court finds that people and animals accessing lakes and rivers across the state have been impacted by cyanobacteria blooms, which pose a threat of acute and chronic illnesses from the toxins they release. Many of these blooms have been triggered by phosphorus loading from direct run-off, poor culvert design, inefficient or failed septic systems, internal loading of phosphorus, among other causes. The cost of designing, installing and repairing mitigation systems or projects for many communities, watershed management associations, and lake associations, would result in dramatically higher property taxes or would take many years of fundraising and delay projects exacerbating the problem. The mitigation of contributors to cyanobacteria blooms requires a strategy to protect, preserve, and enhance the water quality that New Hampshire citizens and the natural environment depend upon.

79:433 New Subdivision; Cyanobacteria Mitigation Loan Program. Amend RSA 485-A by inserting after section 57 the following new subdivision:

Cyanobacteria Mitigation Loan Program

485-A:58 Establishment and Implementation of Cyanobacteria Mitigation Loan Program.

I. There is established in the department of environmental services the cyanobacteria mitigation loan program. The program shall provide low interest loans to:

(a) Municipalities, community water systems and non-profit lake and river watershed associations whose testing shows confirmed and chronic exceedances of the state health advisory for cyanobacteria, for remediation efforts begun after September 30, 2023.

(b) Publicly-owned and non-profit lake or river watershed associations that have a watershed management plan which specifies sources of phosphorus loading approved by the department of environmental services.

II. Projects shall only be financed after the applicant's proposed mitigation plan or watershed management plan demonstrates that such plan is the most cost-effective solution, as reviewed and approved by the department of environmental services. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts that would result in a substantial decrease in external phosphorus loading. The applicant shall also show that there is no responsible party identified by department of environmental services or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the

proposed project.

III. Loans or grants may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

IV. The cyanobacteria mitigation program shall forgive up to 10 percent of the loan principal to community water systems, publicly owned or non-profit lake or river watershed associations using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

V. Total loan forgiveness under this section shall not exceed $1,000,000 in a fiscal year.

485-A:59 Duties.

I. The department of environmental services shall:

(a) Administer the cyanobacteria mitigation loan and grant program to assist municipalities; community and non-profit, lake and river watershed association; with the cost of reducing the number of chronic and extended cyanobacteria bloom that the department considers to be a threat to long term health of water bodies. For purposes of this subparagraph, administration includes oversight of the grant or loan expenditures to ensure they are not misused.

(b) Administer a loan forgiveness program to assist municipalities, community, and non-profit, lake and river watershed association with loan repayment.

(c) Award loan or grant funds to projects that meet the following criteria:

(1) The project is or was necessary to reduce phosphorus loading identified in an accepted watershed management plan and the applicant for funding is a municipality, a community water system, or a non-profit, lake or river watershed association.

(2) The applicant has demonstrated, to the satisfaction of the department, that low or no-cost solutions are neither viable nor effective.

(d) Award reimbursements to projects from the fund in a manner consistent with this chapter.

II. Every year beginning December 1, 2024, the department of environmental services shall prepare and file a report with the general court evaluating the progress made relative to mitigating cyanobacteria blooms, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the fund could be used to address cyanobacteria blooms.

485-A:60 Rules. The department of environmental services shall adopt rules, under RSA 541-A, relative to administering cyanobacteria loan and grant programs for eligible projects.

485-A:61 Cyanobacteria Mitigation Loan and Grant Fund Established. There is hereby established in the department of environmental services the cyanobacteria mitigation loan and grant fund which shall be maintained by the state treasurer in distinct and separate custody from all other funds. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund

moneys shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services. The cyanobacteria mitigation loan and grant fund shall be used to fund loans, grants, and reimbursements in accordance with this subdivision. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds shall be credited to this fund.

79:434 New Subparagraph; Cyanobacteria Mitigation Loan and Grant Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the cyanobacteria mitigation loan and grant fund established in RSA 485-A:61.

79:435 Appropriation; Department of Environmental Services. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of environmental services for deposit into the cyanobacteria mitigation loan and grant fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:436 Effective Date. Section 435 of this act shall take effect June 30, 2023.

79:437 Committee Established. There is established a committee to study the impact on SNAP and Medicaid changes on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs.

79:438 Membership and Compensation.

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

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

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

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

79:439 Duties. The committee shall study the impact on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs in the following ways:

I. Relative to the recent expansion of categorical eligibility for the Supplemental Nutrition Assistant Program (SNAP) from 185% to 200% of federal poverty level.

II. If the state of New Hampshire should apply to participate in the demonstration projects to evaluate direct certification with Medicaid administered by the United States Department of Agriculture (USDA).

III. If the income eligibility under RSA 189:11-a, I(a), relative to free school meals, should be expanded.

79:440 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

79:441 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

79:442 Effective Date. Sections 437 through 441 of this act shall take effect upon its passage.

79:443 Youth Detention Center; Construction Funds. Notwithstanding any other act of the legislature or law to the contrary, any secured treatment facility constructed to replace the current Sununu Youth Services Center shall be funded entirely with federal discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which have previously been allocated by the governor but which have not been expended. No state general funds shall be appropriated for the purpose of constructing the replacement facility and any funds appropriated to the project shall not be transferred or used for any other purpose.

79:444 Department of Health and Human Services; Family Resource Centers; Appropriations.

I. The following amounts are appropriated to the department of health and human services :

(a) The sum of $2,000,000 for the state fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025.

(b) The sums of $1,000,000 for the state fiscal year ending June 30, 2024 and $1,000,000 for the state fiscal year ending June 30, 2025.

II. The amounts appropriated in paragraph I shall be to support family resource center (FRC) infrastructure. The appropriations shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds shall include, but not be limited to, better serving families, preparing for FRC-Q designation, enhancing coordination with other early childhood systems, and supporting evidence-based programs such as home visiting programs, ACERT, and community collaborations. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:444-a Effective Date. Subparagraph I(a) of section 444 shall take effect June 30, 2023.

79:445 Department of Health and Human Services; System of Care; Appropriation. There is hereby appropriated to the department of health and human services the sum of $16,500,000 for the biennium ending June 30, 2025, to support residential treatment provider rates as a component of the system of care. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:446 Department of Administrative Services; Scheduling Software. Any remainder of the sum appropriated in class 038 to the department of administrative services for the purpose of obtaining and implementing scheduling software shall not lapse until June 30, 2025.

79:447 Effective Date. Section 446 of this act shall take effect June 30, 2023.

79:448 Appropriation; Building Maintenance Fund. The sum of $3,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA

21-I:11-d to address deferred maintenance for state-owned buildings. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:449 Effective Date. Section 448 of this act shall take effect June 30, 2023.

79:450 Appropriation; Department of Administrative Services. The sum of $1,200,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of administrative services for the purpose of moving and fit up costs for state agencies. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:451 Effective Date. Section 450 of this act shall take effect June 30, 2023.

79:452 Appropriation; Building Maintenance Fund. The sum of $4,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-I:11-d for the state house annex renovations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:453 Effective Date. Section 452 of this act shall take effect June 30, 2023.

79:454 Appropriation; Department of Administrative Services; Circuit Court Facility; Purchase of Land. The location for siting of the new seventh circuit court facility shall be in the city of Rochester, New Hampshire identified on map 0255, lot 0021-0001 on November 1, 2022. Notwithstanding any other provision of law the state, through the department of administrative services, shall be permitted to enter into an agreement to acquire the property from Rochester for the sum of $1.00 and the sum of $1.00 is hereby appropriated to the department of administrative services for the biennium ending June 30, 2025 for the purpose of purchasing the land from the city of Rochester identified on map 0255, lot 0021-0001 on November 1, 2022. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:455 Sale of Land; Department of Administrative Services; Circuit Court Facility. Notwithstanding any other provision of law, the state, through the department of administrative services, shall be permitted to enter into an agreement to sell property and facility to the city of Rochester where the current seventh circuit court facility is located on map 0121, lot 0016-0000 on October 1, 2022 for the sum of $1.00. The sale of the current courthouse and land shall not occur until the new seventh circuit court facility is constructed, furnished, and operating.

79:456 Public Officers and Employees; Compensation of Certain State Officers; Health and Human Services Review; Certain Unclassified Employees. Amend RSA 94:1-f, II to read as follows:

II. The commissioner of the department of administrative services shall submit the information to an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified state officers for those positions where the position title does not accurately reflect the job responsibilities. The consultant shall assess the recommended allocation, recommend an alternate allocation, if necessary, and include the reasoning for such allocation in its report. The commissioner shall submit the consultant's report to the joint committee established in RSA 14:14-c,

for its review and temporary letter grade allocation. The department of health and human services shall make a contribution from [~~salary line appropriations~~] ***an existing appropriation*** to the salary adjustment fund pursuant to RSA 99:4 to reimburse for the cost associated with the review of each position.

79:457 Department of State; Appropriation. The sum of $90,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of state for the purpose of updating annual software subscriptions and additional programing costs for the high-speed scanners enabling additional Accuvote audits to be conducted. Such funds shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:458 Effective Date. Section 457 of this act shall be effective June 30, 2023.

79:459 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b) to read as follows:

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation multiplied by the number of years of creditable service. After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service. Provided, however, that a group I member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60 if the member has at least 30 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 65 years of age, by 1/4 of one percent.

79:460 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(b)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement

multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

79:461 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(d)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

79:462 New Subdivision; New Hampshire Housing Champion Designation and Grant Program. Amend RSA 12-O by inserting after section 70 (InvestNH) the following new subdivision:

New Hampshire Housing Champion Designation and Grant Program

12-O:71 New Hampshire Housing Champion Designation.

I. The department shall develop a New Hampshire housing champion designation program for all qualifying municipalities. The New Hampshire housing champion designation program shall be voluntary. Each municipality shall have the option, in its sole discretion, to apply to the department to receive the New Hampshire housing champion designation. In exchange for New Hampshire housing champion designation, a municipality shall receive preferential access to state resources including, but not limited to, discretionary state infrastructure funds, as available.

II. The department shall adopt rules to establish qualifications and procedures for a municipality to receive the New Hampshire housing champion designation. The designation procedure shall be based on a scoring system.

III. Qualifications to receive the New Hampshire housing champion designation shall include:

(a) Adoption of such land use regulations and ordinances which the department determines to be necessary to promote the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state. In this subdivision, "land use regulations and ordinances" may include, but are not limited to, zoning ordinances adopted pursuant to RSA 674:16, innovative land use controls adopted pursuant to RSA 674:21, subdivision regulations adopted pursuant to RSA 674:35, and site plan regulations adopted pursuant to RSA 674:43.

(b) Training of planning board and zoning board of adjustment members using training materials and programs, including online materials and programs, provided by the department pursuant to RSA 673:3-a; or training materials and programs, including online materials and programs, provided by the New Hampshire Municipal Association, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves; or any other training materials and programs, including online materials and programs, approved by the department, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves.

(c) Implementation of sewer and water infrastructure improvements intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

(d) Implementation of public transportation, sidewalks, or other walkability infrastructure intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

IV. Qualifications to receive the New Hampshire housing champion designation may also include, but are not limited to adoption of financial tools that incentivize the development of workforce housing, including adoption of the community revitalization tax relief incentive program under RSA 79-E and establishment of municipal economic development and revitalization districts under RSA 162-K.

V. Municipalities that receive a New Hampshire housing champion designation shall annually report in a form required by the department. The annual report shall include such measures as the department may determine, including but not limited to land use board applications and approvals and building permits.

VI. A New Hampshire housing champion designation shall be valid for 3 years from the date such designation is awarded. A municipality may seek renewal of its New Hampshire housing champion designation for subsequent 3-year periods. The department shall include in the criteria for renewal performance metrics including, but not limited to, the qualifications listed in paragraphs III and IV.

VII. Each year the department shall develop a report which describes all actions taken related to the operation of the New Hampshire housing champion designation program in the preceding state fiscal year and assesses the overall impact of the New Hampshire housing champion designation program, including an assessment of the additional housing units produced in the state as a result of the program's operation and incentives. The report required by this paragraph shall be submitted to the governor, the speaker of the house of representatives, and the president of the senate on or before November 1 of each year, beginning in 2024, and upon such submission, the report shall be posted online on the website of the department.

12-O:72 Housing Planning and Regulation Municipal Grant Program. The department shall establish a grant program for municipalities to assist them in promoting increased housing production. Subject to availability of funding, the department shall make grants to any municipality for the purpose of consultation or implementation of revising their master plans and land use regulations for the purpose of promoting the production of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state, and to assist them to become eligible for New Hampshire housing champion designation pursuant to RSA 12-O:71. The department shall adopt rules establishing grant eligibility criteria, grant maximums, and grant program administration.

12-O:73 Champion Benefits. A municipality which has received designation as a housing champion shall be eligible, subject to the rulemaking in RSA 12-O:75, for the following benefits:

I. Housing production municipal grant program. The department shall establish a grant program for municipalities that have made a commitment to facilitating increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality with such a designation on a per-unit basis for workforce housing units for which certificates of occupancy have been issued by the municipality in the preceding state fiscal year. The department shall adopt rules establishing eligibility criteria, per-unit grant maximums, maximum grants per project, a maximum amount that may be granted to any municipality in a year, and grant program administration.

II. Housing infrastructure municipal grant and loan program. The department shall establish a grant program for municipalities that are seeking to build infrastructure that will accommodate increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality, or support the creation of low-interest loan programs for any municipality, with such a designation to provide at least matching funding, as a grant, or all funding, as a loan, for new construction or capacity increases for drinking water, sanitary sewer, stormwater, highway infrastructure, telecommunications, and electrical distribution infrastructure. The department shall adopt rules establishing eligibility criteria, grant maximums, a maximum amount that may be granted to any municipality in a year, and grant program administration.

12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is hereby established in the state treasury the New Hampshire housing champion designation and grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72 and, RSA 12-O:73. The fund shall be non-lapsing and shall be continually appropriated to the department.

12-O:75 Administrative Rules. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024. During the rulemaking process, the department shall consult with relevant state agencies and entities that administer the programs and funds identified under RSA 12-O:73, II to ensure the rules for the New Hampshire housing champion designation program are not in conflict with the rules of these state agencies and entities.

12-O:76 Program Advisory Committee. The department shall establish a New Hampshire Housing Champion program advisory committee to review and make recommendations on initial rules proposed pursuant to RSA 12-O:75. Members of the program advisory committee shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board. The program advisory committee shall consist of:

(a) One member of the senate, appointed by the senate president.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) The commissioner of the department of business and economic affairs, or designee.

(d) The executive director of the New Hampshire housing finance authority, or designee.

(e) The executive director of the community development finance authority, or designee.

(f) Two members appointed by the New Hampshire Municipal Association, one representing a city and one representing a town.

(g) One member appointed by the New Hampshire Association of Regional Planning Commissions.

(h) One member appointed by the New Hampshire Planners Association.

79:463 Repeal. RSA 21-O:76, relative to the program advisory committee, is repealed.

79:464 Positions Established. The following positions are established within the department of business and economic affairs for the purpose of administering the New Hampshire housing champion designation and grant program established pursuant to RSA 12-O:71 through 12-O75:

Administrator II.

Program Specialist IV.

Principal Planner.

79:465 Application of Receipts; Dedicated Funds. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire housing champion designation and grant program fund established in RSA 12-O:74.

79:466 Appropriations; Housing Champion Designation and Grant Program Fund.

I. The sum of $5,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire housing champion designation and

grant program fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of $250,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of business and economic affairs for the purpose of administering the housing champion program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:467 Effective Date.

I. Section 463 of this act shall take effect July 1, 2033.

II. Section 466 of this act shall take effect June 30, 2023

79:468 New Subdivision; Commission to Study Hospitality and Tourism Education in New Hampshire. Amend RSA 187-A by inserting after section 44 the following new subdivision:

Commission to Study Hospitality and Tourism Education in New Hampshire

187-A:45 Commission to Study Hospitality and Tourism Education in New Hampshire.

I. There is established a commission to study hospitality and tourism education in New Hampshire. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The president of the New Hampshire Restaurants and Lodging Association, appointed by that association.

(d) One owner or operator of a restaurant in New Hampshire, appointed by the governor.

(e) One owner or operator of a hotel or inn in New Hampshire, appointed by the governor.

(f) One representative from the New Hampshire community college system, appointed by the chancellor.

(g) One representative from the New Hampshire university system, appointed by the chancellor.

(h) A representative from a career and technical education center (CTE), appointed by the commissioner of the department of education.

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

III. The commission shall:

(a) Examine existing hospitality and tourism programs and community colleges and universities statewide, including curriculum and enrollment trends.

(b) Work with appropriate state agencies including the department of natural and cultural affairs, division of travel and tourism, to determine state needs and how those needs are

being met by the tourism and hospitality programs in the university system and the community college system.

(c) Work with other state agencies, as needed.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

VI. The commission shall be administratively attached to the department of business and economic affairs, division of travel and tourism development.

79:469 Repeal. RSA 187-A:45, relative to a commission to study hospitality and tourism education in New Hampshire, is repealed.

79:470 Effective Date.

I. Section 469 of this act shall take effect November 1, 2023.

II. Section 468 of this act shall take effect upon its passage.

79:471 Liquor Commission Funds; Alcohol Abuse Prevention and Treatment Fund. Amend RSA 176:16, III to read as follows:

III. Five percent of the [~~previous~~] ***preceding*** fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire ***annual*** comprehensive [~~annual~~] financial report, statement of revenues, expenses, and changes in net position for proprietary funds. ***Such deposit shall be processed in 2 installments as follows:***

(a) The commission shall process the initial deposit on or before August 1st of the ensuing fiscal year. Such deposit shall be calculated based on an estimate of the preceding fiscal year gross profit derived by the commission from the sale of liquor.

(b) Upon issuance of the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the commission shall process a second and final deposit or adjustment.

(c) If the amount of the initial deposit exceeds the final amount calculated based on the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the comptroller shall transfer the excess amount from the alcohol abuse prevention and treatment fund established by RSA 176-A:1 to the liquor fund.

79:472 Appropriation; Liquor Commission; Handheld Personal Computers. The sum of $400,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the liquor commission for the purchase of handheld personal computers for use at the commission's retail stores. This appropriation shall not lapse. Said appropriation shall be a charge against the liquor commission fund under RSA 176:16.

79:473 Effective Date. Section 472 of this act shall take effect June 30, 2023.

79:474 Legislative Findings. Electric vehicles contribute to the reduction of air pollution in New Hampshire and serve an important role in transitioning the transportation sector to clean energy. Electric vehicles will be a component in the use of battery storage in transactive distribution networks to reduce energy costs and add resilience to the New Hampshire distribution and transmission network. Electric vehicle service equipment availability promotes tourism as well as adoption of electric vehicles by New Hampshire consumers. The adoption of electric vehicles will lead to a decline in New Hampshire road toll revenues derived from transportation fuel taxation, so there should be a fee for electric vehicles to offset these losses of revenue.

79:475 New Section; Vehicle Registration Fee to be Collected. Amend RSA 261 by inserting after section 141-b the following new section:

261:141-c Electric Vehicle Registration Fee to be Collected.

I. Battery electric vehicles, as defined in RSA 236:132, I, shall be assessed a surcharge of $100 on annual registration, and plug-in hybrid vehicles, as defined in RSA 236:132, V shall be assessed a surcharged of $50, to be deposited in the highway fund. The department of safety, division of motor vehicles shall determine necessary procedures for determining vehicles subject to this surcharge.

II. The division of motor vehicles and the department of transportation shall report annually on or before January 1 of each year to the New Hampshire transportation council, speaker, president, and chairs of house and senate transportation committees on the surcharge revenue.

79:476 Auxiliary State Police. Amend RSA 106-B:19 to read as follows:

106-B:19 Auxiliary State Police. The director is authorized to recruit, train, and organize an auxiliary state police force [~~of not more than 16 persons~~] for the purpose of providing emergency services throughout the state for peacetime or wartime emergencies or threatened emergencies and for augmenting the state police force in such manner as the director may deem appropriate. Notwithstanding other provisions the director may recruit such auxiliary force from retired state or local police. Such auxiliary force shall at all times be under the direction and control of the said director and shall be subject to rules adopted by the director under RSA 541-A and shall be limited to specific hours in any given calendar year for part-time police officers adopted in rules under RSA 541-A by the police standards and training council, pursuant to RSA 106-L:6, III.

79:477 New Sections; Northern Border Alliance Program. Amend RSA 21-P by inserting after section 68 the following new sections:

21-P:69 Northern Border Alliance Program.

I. The commissioner of safety shall establish a northern border alliance program which shall make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police for the following purposes:

(a) Overtime costs for officers performing law enforcement activities under this program.

(b) Equipment for use in performing law enforcement activities under this program.

(c) Training costs, including overtime backfill, for officers participating in this program.

II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to other state, county, and local law enforcement agencies. The protocols and conditions shall focus on reducing the instance of crimes and illicit activity occurring within 25 air miles from the Canadian border. The protocols and conditions shall:

(a) Establish state police as the lead agency for scheduling patrol and coordination with participating agencies.

(b) Ensure that officers assigned to patrols are relieved of taking calls for service absent an emergency.

(c) Ensure that the officers assigned to such patrol units have been trained on state and, if applicable, federal policies, laws and constitutional provisions.

III. The program shall include the following prohibitions on allowable uses of funds:

(a) No funds shall be granted for "purchase of evidence" or for "confidential funds."

(b) No funds shall be used for supplanting locally budgeted and approved funds for routine law enforcement.

IV. The program shall include semi-annual reporting, to the governor, senate president, and speaker of the house of representatives, which includes measurable program results and a detailed accounting of program funding and uses. The first report shall be submitted on or before December 31, 2023.

21-P:70 Northern Border Alliance Fund.

I. There is hereby established the northern border alliance fund within the department of safety for the purpose of make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police to reduce the instance of crimes and illicit activity in close proximity to the Canadian border. All moneys in the fund shall be nonlapsing and continually appropriated to the department of safety.

II. The fund shall be overseen by the commissioner of the department of safety who shall, within 180 days of the effective date of this section, establish a process for the application for grants from the fund. Such process shall be established in rules adopted in accordance with RSA 541-A.

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

79:478 Appropriation; Department of Safety; Northern Border Alliance Program.

I. The sum of $1,435,384 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of safety and shall be nonlapsing. This sum shall be expended as follows:

(a) $619,641 shall be expended by state police for the purpose of funding overtime patrols, related training activities and purchase equipment in support of the northern border alliance program.

(b) The sum of $815,743 is hereby appropriated to the department of safety to disburse grants to other state, county, and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the northern border alliance program established in RSA 21-P:69.

II. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:479 Effective Date. Section 478 of this act shall take effect on June 30, 2023.

79:480 Authority and Duties of Police Employees. Amend RSA 106-B:12 to read as follows:

106-B:12 Authority and Duties of Police Employees. Police employees shall be ex-officiis constables throughout the state. They shall have statewide authority to enforce all provisions of RSA title XXI relative to motor vehicle laws and the regulations relative to the transportation of hazardous materials, pursuant to RSA 106-A:18 and RSA 106-B:15. The director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the director shall immediately make a report to the attorney and the sheriff of the county and the chief of police of the municipality in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees. ***Further, police employees acting within 25 air miles of the international border with Canada, shall have the same authority and powers granted to forest rangers and officials of the division of forests and lands pursuant to RSA 227-G:7 and RSA 227-G:8.***

79:481 Adjustment of Salaries of State Employees; New Hampshire State Troopers. Amend RSA 99:10-a to read as follows:

99:10-a New Hampshire State Troopers. Classified New Hampshire state troopers of the division of state police shall be paid in addition to their regular salary, a differential pay in the amount [~~of $25 per week unless otherwise~~] collectively bargained. ***Unrepresented state troopers shall receive differential pay authorized by the most closely aligned bargaining unit.***

79:482 Appropriation; Department of Safety; Protective Glass Installation. The sum of $100,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:483 Effective Date. Section 482 of this act shall take effect June 30, 2023.

79:484 New Subparagraph; Department of Justice; Consumer Protection and Antitrust Bureau. Amend RSA 21-M:9, II by inserting after subparagraph (u) the following new subparagraph:

(v) Investigating and enforcing privacy and security of personal information and data privacy rights.

79:485 The Attorney General; Disposition of Consumer Protection Settlement Funds. Amend RSA 7:6-f to read as follows:

7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim, suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be deposited in a consumer protection escrow account. The consumer protection escrow account shall at no time exceed [~~$5~~] ***$6*** million, with any amount in excess of [~~$5~~] ***$6*** million deposited into the general fund, except as otherwise provided in RSA 126-A:83. The attorney general shall not include language in any consumer protection settlement that restricts any payments to the state for attorneys' fees, investigation and litigation costs, consumer education, or consumer protection enforcement to the consumer protection escrow account or any other account or fund.

79:486 Effective Date. Section 485 of this act shall take effect July 1, 2024.

79:487 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, I(g) to read as follows:

(g) "[~~Investigator~~] ***Fact facilitator***" means one or more individuals assigned by the administrator to independently investigate a claim.

79:488 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, VIII (c)-(f) to read as follows:

(c) Once a claim is considered complete, the AG designee shall have 30 days to indicate to the claimant and the administrator its position regarding the claim. The AG designee may agree or disagree with the claim in whole or in part, and shall indicate whether he or she believes the claim should be referred to [~~an investigator~~] ***a fact facilitator***. The administrator may grant the AG designee an extension of time to indicate its position for good cause shown.

(d) Following receipt of the AG designee's position, the administrator may refer a claim to [~~an investigator~~] ***a fact facilitator*** if, in the administrator's independent judgment, an investigation is needed. The administrator shall direct the investigator as to any particular aspects of the claimant's claim for which the administrator seeks further information or verification, and in

such case, the investigation shall be limited to that scope. If the administrator elects not to refer a claim to [~~an investigator~~] ***a fact facilitator***, then the administrator shall so notify the AG designee and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG designee's position, to request the administrator decide the claim, or to withdraw his or her claim from further processing. Within 30 days of receiving the position of the AG designee, the claimant shall indicate to the administrator and the AG designee whether he or she agrees with the AG designee's position, whether he or she wishes for the administrator to decide the claim, or whether he or she wishes to withdraw his or her claim from further processing. In the absence of an indication from the claimant, the administrator may assume that the claimant is in agreement with the position of the AG designee.

(e) The purpose of an investigation shall be to verify a claim, as submitted, if possible. The investigation shall, to the greatest extent possible, be conducted in a trauma-informed, respectful, and dignified manner. The investigation may include an interview of the claimant, which may be conducted under oath and recorded. The [~~investigator~~] ***fact facilitator*** may also request to review additional records related to the claim. The claimant shall be entitled to the assistance of an advocate in connection with the investigation process who shall be allowed to accompany the claimant during any interview. The claimant shall execute such documents or authorizations as may be necessary to permit the [~~investigator~~] ***fact facilitator*** to access records. If the claimant is represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A claim may be denied if a claimant refuses to cooperate with the investigation. Except in extraordinary circumstances, investigations should be completed within 90 days of referral.

(f) The [~~investigator~~] ***fact facilitator*** shall present a report to the administrator of his or her findings, which shall include a summary of any interviews conducted or records gathered, a copy of any such supporting documentation, records and recordings. The administrator shall provide a copy of the [~~investigator's~~] ***fact facilitator's*** report and supporting documentation to the claimant and the AG designee once received.

79:489 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, IX(a) to read as follows:

IX.(a) When a claimant requests that the administrator decide the claim, the administrator shall schedule the claim for a resolution proceeding according to the procedures approved by the joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire, although parties and witnesses may attend by telephone or video conference in the discretion of the administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order that they are received and determined to be complete, except that the administrator may also give consideration to the time for which litigation may have been pending prior to the filing of a claim. [~~By requesting a resolution proceeding,~~] ***When a claimant accepts the administrator's decision on the claim,*** a claimant fully waives his or her right to seek other or additional monetary relief in

any forum from the state of New Hampshire or any of its agents or employees, or from any of its political subdivisions or their agents or employees arising out of or relating to any incidents which are or could have been the subject of a claim, except that the claimant does not waive his or her right to seek or continue to seek relief in any forum from an individual whose direct, personal actions constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers, releases, or other documents as a condition of scheduling a resolution proceeding, provided that such documents expressly preserve the right to pursue claims against individual perpetrators as described.

79:490 New Sections; Health Care Consumer Protection Trust Fund and Advisory Commission. Amend RSA 7 by inserting after section 6-f the following new sections:

7:6-g Health Care Consumer Protection Trust Fund Established.

I. In this section:

(a) "Acquisition transaction" or "acquisition" means transfer of control, direct or indirect, of a health care organization, or of 25 percent or more of the assets thereof, including, but not limited to, purchases, mergers, leases, gifts, consolidations, exchanges, joint ventures, or other transactions involving transfer of control or of 25 percent or more of assets. However, changes in membership of the governing body of a health care organization occurring through regular election or filling of vacancies in accordance with the bylaws thereof do not of themselves constitute acquisition transactions within the meaning of this section.

(b) "Health care organization" means an entity organized to provide health care services including, but not limited to, hospitals, community health services, and medical-surgical or other diagnostic or therapeutic facilities or services, or an entity operating as a health insurer or health maintenance organization.

II. There is hereby established in the state treasury, the health care consumer protection trust fund that shall be kept separate and distinct from all other funds. All proceeds received by the state from any settlement, judgment, or other resolution related to any acquisition or acquisition transaction shall be deposited into the trust fund, provided that any proceeds obtained to reimburse the department of justice pursuant to RSA 356:4-b, or RSA 358-A:6, IV for all costs related to the review, investigation, or litigation of any acquisition or acquisition transaction may be deposited in appropriate funds as designated by the attorney general. The fund may also receive moneys through private contributions or appropriations from the general court. Any amount received in connection with an acquisition or acquisition transaction that would have been deposited into the general fund under RSA 7:6-e or RSA 7:6-f shall be deposited into the trust fund. All moneys in the trust fund shall be nonlapsing and continually appropriated to the department of justice. Any earnings on trust fund moneys shall be added to the trust fund.

III. The attorney general shall administer the health care consumer protection trust fund and may only expend funds in the trust fund upon approval by the health care consumer protection advisory commission established in RSA 7:6-h and the governor and council.

IV. Funds from the health care consumer protection trust fund shall be expended solely for the purpose of benefiting health care consumers in the state and in accordance with any relevant terms of the settlement, judgment, or other resolution by which the funds were received. Expenditures from the trust fund may include, but are not limited to, expenditures by the department of justice, grants to state agencies, grants to municipalities, or grants to non-governmental recipients.

V. The attorney general may, if necessary, negotiate terms in a settlement, judgment, or other resolution that specify a particular use or reasonable restrictions for funds deposited into the health consumer protection trust fund, provided that any specified use must be one that benefits health care consumers in the state.

7:6-h Health Care Consumer Protection Advisory Commission Established.

I. There is hereby established the health care consumer protection advisory commission, which shall consult with and advise the attorney general relative to the proper administration and management of the health care consumer protection trust fund, as established in RSA 7:6-g, and shall approve all expenditures from that trust fund.

II. The commission shall consist of the following members:

(a) The attorney general, or designee.

(b) The commissioner of the department of health and human services, or designee.

(c) The commissioner of the department of insurance, or designee.

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

(e) One member of the senate, appointed by the president of the senate.

(f) Two public members with experience in the health care industry, appointed by the governor.

III. Each member of the advisory commission shall have one vote, with all actions being taken by an affirmative vote of the majority of present members. Four members shall constitute a quorum. The advisory commission shall elect a chair and vice-chair from among its members. Public members of the advisory commission shall serve 2- year terms.

IV. Members of the advisory commission shall receive no compensation except for legislative members who shall receive the legislative rate for mileage when attending to their duties on the commission.

V. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A and take place as necessary to ensure efficient and responsible expenditure of funds.

VI. The department of justice shall provide administrative support to the advisory commission.

79:491 Appropriation; Department of Justice. The sum of $500,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of justice for the purpose of supporting functions identified by the assessment to combat human trafficking in the state, including but not limited to investigation, prosecution, and victim services. Funds may be utilized for grants made to state agencies, municipalities, or non-governmental recipients. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:492 Appropriation. Department of Justice; New Hampshire Child Advocacy Centers. There is hereby appropriated to the department of justice the sum of $3,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025 and shall be for the purpose of funding the New Hampshire child advocacy centers. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:493 Effective Date. Section 492 of this act shall take effect June 30, 2023.

79:494 New Hampshire Internet Crimes Against Children Task Force; Appropriation. The sum of $800,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire internet crimes against children fund established in RSA 21-M:17 for the purpose of hiring a cybertip manager, increasing hours dedicated to the task force's mission for the investigators who are also employed by affiliate agencies, adding an investigator to cover Grafton and Coos counties, and adding an investigator to cover Cheshire and Sullivan counties, including equipment necessary to outfit some of the added affiliate agencies with computer and software equipment so they may contribute to NHICAC's overall mission. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:495 Effective Date. Section 494 of this act shall take effect June 30, 2023.

79:496 Appropriation; Police Standards and Training. The sum of $350,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the police standards and training council for the purpose of funding a court security officer training program and related part-time positions. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:497 Effective Date. Section 496 of this act shall take effect June 30, 2023.

79:498 Appropriation; Judicial Council; Public Defender Program. The sum of $5,600,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for the public defender program. The sum of $1,200,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for contract counsel. Said sums shall not lapse until June 30, 2025. The judicial council shall report the amounts allocated pursuant to this section to the

fiscal committee of the general court within 30 days of said allocation. The report shall include an explanation of the reasons for the need for additional funds in each fiscal year and the sums expended for these purposes during the previous 2 biennia.

79:499 Effective Date. Section 498 of this act shall take effect June 30, 2023.

79:500 Criminal Procedure in Superior Court; Drug Courts or Alternative Drug Offender Programs. Amend RSA 592-B:9, I(c) to read as follows:

(c) The cost of the drug court or alternative drug offender program shall not exceed [~~$490,000~~] ***$612,500*** per judicial district in a large county, [~~$300,000~~] ***$375,000*** in a medium county, and [~~$200,000~~] ***$250,000*** in a small county, based on the number of court filings in each judicial district and subject to annual review by the chief justice of the superior court.

79:501 OHRVs; Online Payment of Fees. Amend RSA 215-A:45 to read as follows:

215-A:45 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

79:502 Snowmobiles; Online Payment of Fees. Amend RSA 215-C:59 to read as follows:

215-C:59 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

79:503 Appropriation; Fish and Game Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the fish and game fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:504 Effective Date. Section 503 of this act shall take effect June 30, 2023.

79:505 Department of Natural and Cultural Resources; Division of Parks and Recreation; Bureau of Trails; Grant-in-Aid. For the biennium ending June 30, 2025, and notwithstanding any provision of law or administrative rule to the contrary, the limitations on percentages of grant-in-aid administered by the department of natural and cultural resources, division of parks and recreation, bureau of trails, for the development and maintenance of OHRV trails on private, municipal, state, or federal lands shall be as follows:

I. For the grant period of June 1, 2023 to May 31, 2024:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

II. For the grant period of June 1, 2024 to June 30, 2025:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

79:506 Appropriation; Department of Natural and Cultural Resources; Hampton Beach State Park.

I. The sum of $150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of natural and cultural resources to conduct a feasibility study relative to improving accessibility for people with disabilities to Hampton Beach State Park while factoring in the wildlife and environmental impact. Said funds shall be continually appropriated to the department and shall not lapse until June 30, 2025.

II. The feasibility study shall include recommended locations and specified options for improving accessibility, including, but not limited to, the construction of an accessible walking pier. The study shall also include wildlife and environmental impacts for the recommended locations. The department of natural and cultural resources shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

79:507 Effective Date. Section 506 of this act shall take effect June 30, 2023.

79:508 Appropriation; Department of Natural and Cultural Resources. There is hereby appropriated to the department of natural and cultural resources the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of making renovations and repairs to the Northwood Meadows Lake Dam. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:509 Effective Date. Section 508 of this act shall take effect June 30, 2023.

79:510 Appropriation; Cannon Mountain Tramway. The sum of $18,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, is hereby appropriated to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:511 Effective Date. Section 510 of this act shall take effect June 30, 2023.

79:512 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of $15,000,000 for the fiscal year ending June 30, 2026, and the sum of $15,000,000 for the fiscal year ending June 30, 2027, which shall be nonlapsing, for the purpose of making payments to communities for projects that have previously been awarded state aid grant funding for eligible and completed wastewater infrastructure projects per RSA 486 as approved by the governor and executive council. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:513 Effective Date. Section 512 of this act shall take effect July 1, 2025.

79:514 Department of Environmental Services; Appropriation. The sum of $9,700,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for the purpose of funding a new drinking water transmission main between the existing Nashua Core water distribution system and the existing Litchfield water distribution system, including all ancillary projects needed, including, but not limited to booster pumping stations, directional drilling under the Merrimack River, and all associated design and construction permits. This sum shall be nonlapsing. No public utility ratepayer shall be adversely affected by any direct or indirect costs to bring drinking water to any community through any project funded by this appropriation. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:515 Effective Date. Section 514 of this act shall take effect June 30, 2023.

79:516 Pollution Prevention Coordinator. Amend RSA 21-O:16 to read as follows:

21-O:16 Pollution Prevention Coordinator. There is established in the [~~office of the commissioner,~~] department of environmental services[~~,~~] the position of state pollution prevention coordinator. The coordinator shall be a classified employee qualified by reason of education and experience. It is the intent of the legislature that coordination of pollution prevention efforts shall complement and reinforce existing state, federal, local, and private pollution prevention efforts.

79:517 Appropriation; Support of Regional Fisheries Alongside Offshore Wind Energy Development. The sum of $10,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for New Hampshire's portion of an effort being led by 11 Atlantic Coast states to sustain a vibrant fishing community that can coexist and thrive alongside offshore wind energy development; the group's efforts are being organized by the Consensus Building Institute and are focused on the establishment of a regional fisheries compensation fund administrator which is a vital component to being able to financially compensate any commercial fisheries negatively impacted by the deployment of offshore wind in the Gulf of Maine or any other body of water. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:518 Appropriation; Business Network for Offshore Wind Membership. The sum of $30,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of energy for the purpose of funding New Hampshire membership fees for calendar years 2023, 2024, and 2025 in the Business Network for Offshore Wind. By joining the network, New Hampshire state agencies working on the potential of offshore wind in the Gulf of Maine will have access to the international offshore wind industry and the other states and regional organizations in the United States exploring offshore wind to ensure New Hampshire has the ability and knowledge on how to pursue any opportunities for New Hampshire that will result from offshore wind in the Gulf of Maine. Membership will also provide New Hampshire with a new registry tool to identify the New Hampshire companies interested in offshore wind economic activities, access to the registries of

other states, and access to the association's database of international supply chain data and international offshore wind economic activities data. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:519 Effective Date. Sections 517 and 518 of this act shall take effect June 30, 2023.

79:520 Department of Transportation; Municipal Bridges; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended for municipal bridges by municipalities with existing bridges in the fiscal year ending June 30, 2024. One half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's total bridge deck area per department inventory, as of January 1, 2023. The other half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's share of total state population based on the office of planning and development's population estimate with each municipal population in proportion to the total population of the state as of July 1, 2022. The funds to be distributed under this section shall be in addition to all other state and federal aid specifically authorized by statute. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for bridge maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

79:521 Department of Transportation; "Apportionment A" Distributions; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended as additional "Apportionment A" distributions under RSA 235:23, I, in the fiscal year ending June 30, 2024. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for road maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

79:522 Effective Date. Sections 520 and 521 of this act shall take effect June 30, 2023.

79:523 Appropriation; Department of Transportation; Rural and Urban Transit Agencies. There is hereby appropriated the sum of $1,883,289 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of transportation for the purpose of providing a state operating match for rural and urban transit agencies to access additional available federal

funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:524 Effective Date. Section 523 of this act shall take effect June 30, 2023.

79:525 Appropriation; Vehicle and Equipment Replacements. The sum of $4,786,036 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of transportation for the purpose of vehicle and equipment replacements, including any associated outfitting costs. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:526 Effective Date. Section 525 of this act shall take effect June 30, 2023.

79:527 Department of Transportation; Appropriation; Eastern Slopes Regional Airport. The sum of $100,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of transportation, aeronautics division for the purpose of providing local matching funds for Federal Aviation Administration grants to support the Eastern Slopes Regional Airport, located in Fryeburg, Maine and serving Conway, New Hampshire. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:528 Effective Date. Section 527 of this act shall take effect June 30, 2023.

79:529 E-Z Pass Collection and Enforcement; Unpaid Tolls. Amend RSA 237:16-c, V to read as follows:

V. For effective toll collection enforcement, the department of transportation and the department of safety may accept a request from another state to [~~deny~~] ***suspend*** registration [~~renewal~~] privileges for a vehicle registration plate in accordance with RSA 263:56-f for unpaid tolls incurred in the other state, provided that the other state represents that the request is in keeping with criteria for [~~denial~~] ***suspension*** of registration [~~renewal~~] privileges as set forth in the states' respective reciprocal toll collection enforcement agreement. Any costs incurred for the implementation of software to effectuate reciprocal toll collection enforcement agreements shall be reimbursed from the turnpike fund.

79:530 Public Awareness Campaign on Brain Health, Alzheimer's Disease, and Related Dementias. The department of health and human services, in partnership with the state commission on aging established in RSA 19-P:1, the health and human services oversight subcommittee on Alzheimer's and other related dementia established in RSA 126-A:15-a, the New Hampshire Medical Society, and the Alzheimer's Association, shall develop a public awareness campaign on brain health, Alzheimer's disease and related dementias, and incorporate the campaign into its existing, relevant public health outreach programs on an ongoing basis. In conjunction with the appropriate training entities, the public awareness campaign shall make informational materials available to:

I. Educate the health care community and the general public on the importance of early detection and timely diagnosis of cognitive impairment, clinically accepted and recognized cognitive assessment tools, and the value of a Medicare Annual Wellness visit for cognitive health; and

II. Increase public understanding and awareness of early warning signs of Alzheimer's disease and other types of dementia, the value of early detection and diagnosis, and how to reduce the risk of cognitive decline, particularly among persons in diverse communities who are at greater risk of developing Alzheimer's disease and other types of dementia; and

III. Inform the health care community and the general public of resources and services available to individuals living with dementia and their families and caregivers, in partnership with the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the New Hampshire Medical Society, and the Alzheimer's Association.

79:531 Appropriation; Department of Health and Human Services; Public Awareness Campaign on Brain Health, Alzheimer's Disease and Related Dementias.

I. The sum of $500,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purposes of hiring a contractor, through a competitive bidding process, to develop and implement a public awareness campaign on brain health, Alzheimer's disease and related dementias. This appropriation shall not lapse until June 30,2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department shall issue a request for proposals (RFP) on or before January 1, 2024, for the purposes of this section. The RFP shall provide for detailed outcome and performance measurements as well as a comprehensive evaluation and review of the overall effectiveness of the campaign and continuous monitoring on whether key goals for educational outreach have been achieved at benchmark periods during the campaign.

III. Furthermore, nothing in the campaign shall be construed or interpreted to expand the current continuing medical education requirements as set forth in RSA 329:16-g or to endorse a particular medical or therapeutic treatment or a specific pharmaceutical product or treatment.

79:532 Reporting Requirement; Public Awareness Campaign. On or before October 1, 2023, the department of health and human services shall submit a draft plan for review to the joint legislative oversight committee on health and human services established in RSA 126-A:13 prior to implementation of the public awareness campaign. Thereafter, beginning on January 1, 2024, the department shall provide quarterly progress reports to the oversight committee on the implementation of the campaign. At the conclusion of the public awareness campaign, the department shall submit a final report to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the state library, the oversight committee, the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the senate committee on health and human services, the house committee on health,

human services and elderly affairs, and the senate and house finance committees outlining the impact of the campaign and any related findings or recommendations for legislation on or before November 1, 2024.

79:533 Effective Date. Section 531 of this act shall take effect June 30, 2023.

79:534 Department of Health and Human Services. Appropriation; Child Care Programs.

I. The sum of $15,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of financing recruitment and retention bonus and benefit grants for New Hampshire child care employers. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. Eligible child care programs shall be programs operating in New Hampshire with an active child care license or that are license-exempt and enrolled in the department of health and human services child care scholarship program. These programs shall include those who serve children from birth through age 12 and are also referred to as center-based, family-based, early childhood education, early learning, outside of school time, before and after school, and summer camp programs, as well as non-profit and privately-owned center-based and family-based child care programs.

III. The department shall develop and implement a grant application process for eligible programs, and may consider additional grant amounts for child care programs enrolled in or in preparation to enroll in the granite steps for quality in recognition of their extra effort and commitment to continuous quality improvement. Grant amounts shall be determined by the department after all applications have been received and approved.

IV. Grants received by the programs may be used in the following ways:

(a) Deposit into an eligible, tax-advantaged Health Savings Account or Flexible Spending Account;

(b) Mentor credentialing and support networks for mentors;

(c) Sign-on and/or retention incentives and/or wage increases;

(d) Professional costs such as training hours, CPR, or memberships in professional organizations;

(e) Child care tuition assistance;

(f) Credit towards the employee's share of the cost of their health insurance plan;

(g) Paid time off equivalent;

(h) Child care tuition discount;

(i) Student loan repayment;

(j) Telemedicine coverage; or

(k) Payment towards a physical, first-aid certification, CPR certification, background check, or other credential required for the child care position.

V. If grant application requests exceed available funding, preference shall be given to eligible child care programs which are:

(a) Enrolled in New Hampshire's child care scholarship program; and

(b) Connected to the work of their related early childhood regional network, as determined by the department.

VI. The department of health and human services shall incorporate in its biennial appropriation request pursuant to RSA 9:4 an amount necessary to fully fund the child care workforce programs contained in this section.

79:535 Effective Date. Section 534 of this act shall take effect June 30, 2023.

79:536 Child Care Scholarship Program. For the biennium ending June 30, 2025, the department of health and human services shall modify the child care scholarship program by removing the parent cost-share for any eligible family at or below 100 percent of the federal poverty level and assigning a $5 per week cost share for families greater than 100 percent and at or below 138 percent. If at any time the commissioner determines that funding is insufficient to satisfy the requirements of this section, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

79:537 Appropriation; Department of Health and Human Services; Integrated Eligibility System. There is hereby appropriated the sum of $167,700 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of funding an audit of the integrated eligibility system. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:538 Effective Date. Section 537 of this act shall take effect June 30, 2023.

79:539 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $300,000 for the fiscal year ending June 30, 2024, and the sum of $300,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile diversion providers who provide diversion services pursuant to RSA 169-B:10. Any unexpended funds remaining from the appropriations made in 2019, 346:371 and 2021, 91:421 shall not lapse and may be used for the purposes of this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:540 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $600,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile diversion providers who provide

diversion services pursuant to RSA 169-B:10. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:541 Effective Date. Section 540 of this act shall take effect June 30, 2023.

79:542 Appropriation; Vaccine Administration. The sum of $20,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of health and human services for the purpose of providing funding to public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under the federal Section 317 Immunization Program. The governor is authorized to draw a warrant out of funds not otherwise appropriated.

79:543 Effective Date. Section 542 of this act shall take effect June 30, 2023.

79:544 Department of Health and Human Services; Rural Health and Primary Care; Report. On or before July 1, 2024, the department of health and human services shall submit a report with its findings and legislative recommendations to the chair of the senate health and human services committee, the chair of the house health, human services and elderly affairs committee, and the governor relative to implementing area health education centers and advanced training programs for rural health and primary care personnel including, but not be limited to, a rural residency program for family medicine physicians.

79:545 Appropriation; Department of Health and Human Services; Transitional Housing Beds. Amend 2021, 91:408 to read as follows:

91:408 Appropriation; Department of Health and Human Services; Transitional Housing Beds. There is hereby appropriated to the department of health and human services the sum of $6,000,000 for the fiscal year ending June 30, 2021, which shall be nonlapsing until [~~June 30, 2023~~] ***June 30, 2025***, for the purposes of increasing rates paid for transitional housing beds and for funding new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital, ***addressing emergency room boarding efforts, ensuring compliance with the community mental health agreement, and supporting behavioral health crisis response initiatives***. In addition, any unspent funds from the appropriation made under 2019, 346:221 may be used for the purposes of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:546 Effective Date. Section 545 of this act shall take effect June 30, 2023.

79:547 Department of Health and Human Services; Developmental Services; Pilot Program. Amend 2022, 272:9, V to read as follows:

V. [~~On or before February 1, 2023,~~] The department shall ***semi-annually*** provide a detailed report of the pilot program plan to the senate health and human services committee, the senate finance committee, the house children and family law committee, the house health, human services and elderly affairs committee, the house finance committee, the oversight committee on health and

human services established in RSA 126-A:13, and the fiscal committee of the general court. The report shall include data on utilization, including the number of individuals seeking services in accordance with paragraph I, the number of individuals provided services as part of the pilot program, the types of specific services provided for each individual, the total cost of the services provided, ***the number of individuals who applied for funds each 6-month period, the number of applications approved, the number of applications denied and the reasons for denial,*** and other relevant information necessary to assess the pilot program for statewide expansion as part of the state budget for the biennium ending June 30, 2025.

79:548 Appropriation; Developmental Services; Pilot Program. Amend 2022, 272:9 VII to read as follows:

VII. There is hereby appropriated to the department of health and human services the sum of $2,800,000, for the fiscal year ending June 30, 2023, for the purpose of implementing the pilot program plan or the pilot itself, for developmental services established in this section. ***This appropriation shall not lapse until June 30, 2025.*** Additionally, the department may accept and expend any applicable federal funds, and any gifts, grants, or donations that may be available for the purposes of the pilot program. In the event of any remaining funds not otherwise expended after reaching the cap of serving 20 eligible individuals under the pilot program, the department may allocate funding and provide services to additional eligible individuals. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:549 Effective Date. Sections 547 and 548 of this act shall take effect June 30, 2023.

79:550 Appropriation; Department of Health and Human Services; Family Mutual Support Services. The sum of $50,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services, account 05-95-092-922010-4119, class 102, for the purpose of helping family mutual support providers keep pace with the cost of service provision. This sum shall be in addition to any other amounts appropriated and shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:551 Effective Date. Section 550 of this act shall take effect June 30, 2023.

79:552 Appropriation; Department of Health and Human Services; Home Visiting Program. The sum of $450,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program. Said amount shall be in addition to any other amounts appropriated for this purpose, and shall not lapse until June 30, 2025. The department is authorized to accept and expand any matching federal funds available for the purposes of this section without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:553 Effective Date. Section 552 of this act shall take effect June 30, 2023.

79:554 Appropriation Amended; 2019; Hospital Care Coordination. Amend 2019, 346:222 to read as follows:

346:222 Appropriation; Department of Health and Human Services; [~~Patients Residing in Hospital Emergency Rooms~~] ***Hospital Care Coordination; Positions Established.***

I. There is hereby appropriated to the department of health and human services the sum of $750,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, and shall be expended for the purpose of [~~providing due process for involuntary emergency admissions patients currently residing in emergency rooms in hospitals; provided that no hospital shall receive more than $100,000. The appropriation made in this section shall only cover the portion of costs not reimbursable by insurance carriers. The commissioner of the department of health and human services shall establish the application process for such funds~~] ***supporting a statewide care coordination function for the purpose of eliminating hospital emergency department psychiatric boarding during the biennium ending June 30, 2025***. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. [~~If the expenditure is greater than the appropriation contained in this section, the commissioner of the department of health and human services may request and receive additional funding, with the prior approval of the fiscal committee of the general court and governor and council. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.~~] ***For the purposes in paragraph I, there are established the following positions within the department: one senior psychiatric social worker, one business systems analyst II, and 2 registered nurse III positions.***

79:555 Appropriation; Department of Health and Human Services; Juvenile Peer-to-Peer Grief Support. There is hereby appropriated the sum of $500,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, to the department of health and human services for the purpose of funding juvenile peer-to-peer grief support programming. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:556 Effective Date. Section 555 of this act shall take effect June 30, 2023.

79:557 Appropriation; Department of Health and Human Services; Reimbursement For Licensed Nursing Assistants. There is hereby appropriated to the department of health and human services, account 05-95-048-482010-2154, class 509, the sum of $400,000, for the fiscal year ending June 30, 2023, for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continued education. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:558 Effective Date. Section 557 of this act shall take effect June 30, 2023.

79:559 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services, the sum of $2,054,360 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of Granite United Way administering the Recovery Friendly Workplace Initiative, which promotes individual wellness for Granite Staters by empowering workplaces to provide support for people recovering from substance use disorder. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:560 Effective Date. Section 559 of this act shall take effect June 30, 2023.

79:561 New Section; WIC Farmers' Market Nutrition Program. Amend RSA 132 by inserting after section 12-e the following new section:

132:12-f WIC Farmers' Market Nutrition Program. There is established in the department of health and human services the New Hampshire Farmers' Market Nutrition Program for participants in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). The program shall distribute food instruments to eligible WIC participants to redeem for locally grown fresh fruits, vegetables and herbs at authorized New Hampshire farmers' markets in compliance with 7 C.F.R. 248 that are redeemable only at designated New Hampshire farmers' markets. The commissioner shall adopt rules under RSA 541-A to implement this program.

79:562 Appropriation; WIC Farmers' Market Nutrition Program. There is hereby appropriated to the department of health and human services the sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of funding the WIC Farmers' Market Nutrition Program in RSA 132:12-f. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:563 Effective Date. Section 562 of this act shall take effect June 30, 2023.

79:564 Department of Health and Human Services; Homeless and Housing Shelter Programs; Appropriations.

I. The sum of $8,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of increasing rates paid to shelter programs. Said sums shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of assisting with homeless shelters, partial funding of a cold weather shelter, hotel stays, and other alternatives to provide shelter expenses. Said sum shall not lapse until June 30, 2025. No later than October 1 of each year of the biennium, the department shall distribute $1,000,000 to one provider in each county based on 50 percent to be distributed evenly across each county and 50 percent based on the most recent preliminary point-in-time count of those experiencing homelessness in the county. The funds shall be used to make payments to homeless shelters, partial funding of a cold weather shelter, hotel stays,

and other alternatives to provide shelter. Each solution shall include coordination of referrals to related services and transportation to and from said shelter. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

79:565 Effective Date. Section 564 of this act shall take effect June 30, 2023

79:566 Residential Care and Health Facility Licensing; Exception Added. Amend RSA 151:2, VI(a) to read as follows:

VI.(a)*(1)* No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues or to any continuing care facility for which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.

(2) Provided however, effective July 1, 2023, any pediatric intermediate care facility, established before the effective date of this subparagraph is authorized to house one additional pediatric resident beyond its licensed capacity prior to that date, with this authorization to expire June 30, 2024.

79:567 Statement of Findings. The general court hereby finds that:

I. The state of New Hampshire is ranked as having one of the fastest growing number of older adults in the country.

II. As the number of older adults increases, the need for long-term care will increase.

III. Pursuant to the federal Older Americans Act, New Hampshire is required to promote the development and implementation of comprehensive, coordinated, statewide system of long-term services and supports that is responsive to the needs and preferences of older individuals and their family caregivers.

IV. The federal Americans with Disabilities Act prohibits unnecessary institutionalization of individuals with disabilities.

V. RSA 151-E was established to provide Medicaid eligible elderly and chronically ill adults with a continuum of long-term care options.

VI. Despite these federal and state mandates, historically there has been a lack of investment in our state's system and programs for older adults and adults with disabilities.

VII. Rebalancing New Hampshire's systems to expand more home and community-based options will reduce the cost of providing services and allow our state to serve more people.

79:568 New Subdivision; Long-Term Care; System of Care for Healthy Aging. Amend RSA 151-E by inserting after section 21 the following new subdivision:

System of Care for Healthy Aging

151-E:22 Purposes. The purposes of this subdivision are to:

I. Build upon existing infrastructure to establish a comprehensive and coordinated system of care to ensure that older adults and adults with disabilities have access to and timely delivery of supports and services and to ensure that they have a meaningful range of options.

II. Reduce the cost of providing long-term care by expanding the availability of less costly home and community-based services.

III. Require the department of health and human services to expand and improve access to home and community-based services for older adults and adults with disabilities in alignment with New Hampshire's state plan on aging, the federal Older Americans Act, Americans with Disabilities Act, and Medicaid law.

IV. The system of care referenced in this subdivision is meant to streamline access to long-term care supports and services and not intended to expand eligibility for any current Medicaid programs, including long-term care Medicaid or any home and community-based Medicaid waiver programs.

151-E:23 Statement of Policy. It is the policy of New Hampshire to establish and implement a comprehensive and coordinated system of care that promotes healthy aging and enables older adults and adults with disabilities to have a meaningful choice in care options, including the ability to receive the care they need in their homes and communities.

151-E:24 Definitions. In this subdivision:

I. "Disability" means a physical or mental impairment that substantially limits one or more major life activities.

II. "Home and community-based services" means a range of medical and supportive services provided to persons in their own homes or other community-based settings including, but not limited to, adult day programs, and assisted living.

III. "Long-term services and supports" means a variety of services provided in both facilities and community-based settings designed to meet a person's health or personal care needs to help them live as independently and safely as possible when they can no longer perform everyday activities on their own.

IV. "Older adult" means an individual who is 60 years of age or older.

V. "System of care" means:

(a) A comprehensive and coordinated delivery system for the provision of long-term services and supports to New Hampshire's older adults and adults with disabilities.

(b) The system of care is intended to provide services to all older adults and adults with disabilities who require long-term services and supports.

(c) The system of care shall have the following characteristics:

(1) A comprehensive array of long-term services and supports including, but not limited to, personal care, homemaker services, transportation, meal delivery or preparation,

emergency response systems, adult day care, and family caregiver support to enable older adults and adults with disabilities to remain independent and in the setting of their choice.

(2) An absence of significant gaps in services and barriers to services.

(3) Sufficient administrative capacity to ensure quality service delivery.

(4) Services that are consumer-driven, community-based, and culturally and linguistically competent.

(5) Transparent, with information made available and known to consumers, providers, and payers.

(6) A funding system that supports a full range of service options.

(7) A performance measurement system for accountability, monitoring and reporting of system quality, access and cost.

151-E:25 Duties of Commissioner of the Department of Health and Human Services. The commissioner of the department of health and human services shall:

I. Modify the policies and practices of the department of health and human services necessary to implement this subdivision, to the extent possible within existing statutory and budget constraints.

II. Coordinate the plans and activities of the commissioner with the bureau of elderly and adult services, the bureau of family assistance and division of long-term supports and services to implement the system of care and reduce duplication of efforts across divisions and bureaus within the department.

III. Develop a plan for full establishment and maintenance of a system of care. Such plan shall be reviewed annually and amended or modified as needed. It shall include sufficient detail to allow compliance with the reporting requirements of RSA 151-E:27 as applicable and shall address at least the following elements:

(a) System capacity, including workforce sufficiency.

(b) Federal funding participation, including but not limited to, Medicaid waivers and plan amendments.

(c) Changes to statutes, administrative rules, and structure of appropriations, and department policy, practice and structure.

(d) Projections of cost savings from increased service effectiveness and reductions in costly forms of care and use of such savings to close existing gaps in long term care services.

(e) Recommended modifications to law, practice, and policy to prepare for and accommodate the participation of privately funded service providers in the system of care.

(f) Changes to rates for the Choices for Independence program in accordance with section 1902(a)(30)(A) of the Social Security Act and requirements for Medicaid home and community-based waiver programs under section 1915(c).

IV. Beginning no later than January 1, 2025, begin adjusting rates for the Choices for Independence waiver consistent with the rate study, assuming funds are available. Any unspent funds allocated to the Choices for Independence program shall be non-lapsing and shall be used for service provision for the Choices for Independence program.

V. On or before September 30, 2024, submit a waiver request to the Centers for Medicare and Medicaid services or implement an alternative method to establish a robust presumptive eligibility process for Medicaid home and community-based waiver services, including a mechanism for third party participation.

VI. Improve functionality of the NH EASY system for individuals applying for services and provide additional trainings for professionals who frequently assist people applying for services and develop associated performance metrics.

VII. Ensure applications for Medicaid long-term services are user friendly and processed in a timely manner and develop performance metrics to measure these attributes.

VIII. On or before June 30, 2025, maintain an online portal for providers, case managers, navigators and other long-term care service providers to enable them to easily identify and access available long-term care services and supports for older adults and adults with disabilities. The portal functions required by this section may be assigned to an entity that has responsibilities in addition to those required by this section. The portal shall contain the following information:

(a) A current list of home and community-based care waiver service providers accepting new clients, including links to websites and contact telephone numbers, organized by region that is updated on a weekly basis.

(b) Non-Medicaid resources to support the cost of home and community-based services.

(c) Referral information for legal service organizations.

(d) Guidance regarding family navigation of hospital discharge protocols and options.

IX. On or before June 30, 2025, create a public facing online dashboard to track home and community-based waiver services data, including, but not limited to, results of any performance measurement assessments, waiver services authorized but not paid, current wait times for receiving waiver services and the number of people from institutionalized care into the community.

151-E:26 Person-Centered Counseling Program. The department shall:

I. Create a new person-centered counseling program in each contracted aging and disability resource center (ADRC) to provide support and assistance to persons living at home or in short or long-term institutional settings, including hospitals, to transition into community-based settings. The program shall include referrals and support to access, at a minimum, but not limited to: assistance with completing Medicaid applications, discharge planning, referrals and access to Title III-B and Title XX services and programs, referrals and access to community-based services, housing, and other supports and services to meet the needs of the individual and their family. These

services shall not replace or duplicate targeted case management services described in RSA 151-E:17.

II. Increase operational capacity in each ADRC to enable the provision of person-centered counseling services for adults, including but not limited to, educating consumers about available community-based resources for long-term services and supports, assistance with completing Medicaid applications, and assistance with the transition to access such services.

III. Establish performance metrics for each contracted information and referral resource center to assess each office's ability to provide the services contained in this section.

151-E:27 System of Care Implementation and Reporting Requirements.

I. When preparing the biennial budget for the Choices for Independence program, the department shall prepare data showing the amount program provider rates would be increased to be in alignment with the rate plan as completed by the department.

II. The department shall review and propose rates for the Choices for Independence program in accordance with section 1902 (a)(30)(A) of the Social Security Act and requirements for Medicaid home and community based waiver programs under section 1915(c). The department shall provide a report to the house health, human services and elderly affairs committee and senate health and human services committee, the house finance committee, the senate finance committee and the joint legislative committee on health and human services established in RSA 126-A:13 on or before July 1, 2024. The focus of the rate study is to promote efficiency, economy, quality of care and access to services within New Hampshire's Choices for Independence program. The rate study shall establish reimbursement methodologies utilizing the U.S. Centers for Medicare and Medicaid Services Market Basket Index as an inflation benchmark for rate-setting purposes. The department shall seek input from Choices For Independence beneficiaries, providers, and other stakeholders in regard to access to Choices for Independence services in future rate setting processes. Information regarding access to services shall be publicly documented and shall be considered in the subsequent rate-setting process.

III. On a biennial basis, the department shall perform a financial review to determine whether ADRC offices are receiving sufficient funding to maintain their operations and make legislative budget requests if additional funding is warranted.

IV. Beginning November 1, 2023, and annually thereafter, the department shall report to the governor, the state commission on aging established in RSA 19-P:1 and the joint legislative committee on health and human services established in RSA 126-A:13. The report shall provide detailed information regarding the status of the implementation of this subdivision.

V. Beginning in 2024, the report shall address the following:

(a) The total cost of Medicaid long-term care services and Choices for Independence program services.

(b) The extent to which the state's long-term care support and services systems are consistent with a system of care.

(c) A description of any actual or planned changes in department policy or practice or developments external to the departments that will affect implementation of a system of care.

(d) Any other available information relevant to progress toward full implementation of a system of care.

(e) The result of pilots regarding access with the counties.

(f) A review of options to enhance the system of care.

(g) Presumptive eligibility findings and recommendations for next steps.

(h) The status of changes to the NH Easy application system and any additional enhancements needed.

(i) The status of reimbursement rates and rate study.

VI. Beginning in 2025, the report shall also address the following:

(a) Identification of those actions which will be required to maximize federal and private insurance funding participation in the system of care, along with target dates for completion.

(b) Identification of changes to statutes, administrative rules, policies, practices, and managed care and provider contracts which will be necessary to fully implement the system of care.

(c) Identification of significant gaps in the array of long-term care supports and services for older adults and adults with disabilities, along with a description of plans to close those gaps.

VII. Beginning in 2026, the report shall also address the following:

(a) Projections of future demand for services in the system of care.

(b) Identification of shortfalls in workforce sufficiency affecting full implementation of the system of care and plans for addressing those shortfalls.

(c) Identification of specific plan amendments and other changes to the Medicaid system required for full implementation of the system of care and plans for making those changes.

(d) Numbers of older adults and adults with disabilities waiting services in various categories.

VIII. Beginning in 2027, the report shall also address the following:

(a) Detailed statistical information regarding older adults and adults with disabilities serviced, along with demographic characteristics, service need and provision, involvement in service systems, service funding sources, and placement or other site of service provision.

(b) Financial information, including but not limited to measures of cost-effectiveness, comparisons with other states with regard to levels of funding from federal, state, local, and private sources, and cost savings resulting from service coordination and effectiveness.

(c) An assessment of any influences external to the department of health and human services, including configuration of the private long-term care health care system, which may be affecting establishment of the system of care.

79:569 Appropriations; Department of Health and Human Services; System of Care for Healthy Aging.

I. For the purpose of developing a plan to establish and maintain the system of care for healthy aging as described in RSA 151-E:25, III, a sum not to exceed $50,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the plan. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

II. For the purpose of developing and implementing the online portal, dashboard, and data collection systems described in RSA 151-E:25, VIII and IX, a sum not to exceed $100,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the dashboard and data collection. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. For the purpose of enabling the department to complete the reporting requirements described in RSA 151-E:27, a sum not to exceed $150,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of reports in 2024 and 2025. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

79:570 Appropriation; Department of Health and Human Services; Person-Centered Counseling Program. The sum of $1,197,600 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the person-centered counseling program established in RSA 151-E:26. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend any federal funds available for the purposes of the counseling program without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant

for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

79:571 System of Care and Peer-Centered Counseling; Staffing; Classified Positions Established.

I. The following classified positions are established in the department of health and human services to support the person-centered counseling program established in RSA 151-E:26:

(a) Program Specialist III (Labor Grade 23, Step 5); and

(b) Program Specialist IV (Labor Grade 25, Step 5).

II. The sum of $190,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. The commissioner of health and human services, to the extent possible, shall fill available vacant classified positions as necessary to implement the system of care for healthy aging established in this act, including additional staffing to perform rate setting, streamlining of application process, creation and maintenance of public facing dashboard and online portal for providers, updating of performance measures and other required activities.

79:572 Personal Care Services; Definition of Personal Care Services Provider. Amend RSA 161-I:2, XII to read as follows:

XII. "Personal care services provider" means a person who:

(a) Is selected by:

(1) The eligible consumer;

(2) The eligible consumer's legal guardian;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer; and

(b) Is employed by a home health agency or other qualified agency to provide personal care services; and

(c) Is not:

(1) The eligible consumer's legally responsible relative, except as authorized pursuant to RSA 161-I:3-a;

(2) The eligible consumer's legal guardian, ***except as authorized pursuant to RSA 161-I:3-a***;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer, ***except as authorized pursuant to RSA 161-I:3-a***.

79:573 Personal Care Services; Authorization of Legally Responsible Relative. Amend RSA 161-I:3-a to read as follows:

161-I:3-a Authorization of Legally Responsible Relative, ***Guardian, or Person Granted Power of Attorney.*** The department may authorize reimbursement to a legally responsible relative, ***a guardian, or a person granted power of attorney by the eligible consumer,*** who provides personal care to an eligible consumer with special health care needs residing at home. Such reimbursement shall occur only when the department determines that the needs of the eligible consumer, the unavailability of appropriate providers or suitable alternative care services, and cost efficiencies make utilization of a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** for the provision of such services necessary and appropriate. Reimbursement shall be limited to care that is medically necessary due to specific health needs and shall not be made for care generally expected and provided by a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer.*** The department shall not authorize reimbursement to a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** until a plan and rules adopted pursuant to RSA 541-A, are reviewed and approved by the oversight committee on health and human services, established in RSA 126-A:13.

79:574 Long-Term Care; Information and Referral. Amend RSA 151-E:5 to read as follows:

151-E:5 Information and Referral. The department shall establish a system of community-based [~~information and referral~~] ***aging and disability*** resource centers that provide information and referral services to [~~elderly and chronically ill adults~~] ***older adults and adults with disabilities.*** The [~~information and referral~~] ***aging and disability resource center*** network established under this section shall not be used for the purpose of political advocacy, but may inform and educate the general court regarding the extent of services available as well as the unmet needs in the community.

79:575 New Section; Personal Care Services; Financial Eligibility for Adult Home and Community-based Care Waiver Programs. Amend RSA 167 by inserting after section 4-e by the following new section:

167:4-f Financial Eligibility.

I. Financial eligibility for Medicaid adult home and community-based waiver programs shall include the following resource limits:

(a) For married individuals, revert to the standard in place prior to the passage of the federal Affordable Care Act, so that only the resources in the name of the applicant, and not the resources in the name of the applicant's spouse are counted for purposes of determining Medicaid resource eligibility; and

(b) For single individuals, establish a resource disregard of $6,000, which would have an effective resource limit of $7,500.

II. Department of Health and Human Services; Resource Disregard Enhancement Authority; Rulemaking. Pursuant to RSA 161:4-a, the department of health and human services shall enter into rulemaking, subject to the Centers for Medicare and Medicaid Services (CMS) approval as necessary, to revert the resource standard for married persons prior to the passage of the Affordable Care Act and increase the resource disregard to a maximum of $6,000 for individuals seeking nursing facility services or home and community based care under state waivers established under section 1915(c) of the Social Security Act.

79:576 Department of Health and Human Services; Eligibility for Assistance. Amend RSA 167:4, I(b) to read as follows:

(b) ***To the extent permissible under federal law,*** in the case of an applicant for public assistance or medical assistance who has made an assignment or transfer of assets to an individual for less than fair market value within [~~60~~] ***36*** months***,*** or ***for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances, or*** in the case of transfers of real estate, or transfers of assets to a trust or portions of a trust that are treated as assets disposed of by the individual within [~~60~~] ***36*** months***, or for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances,*** immediately preceding the date of application or while the application is pending, or in the case of a recipient of public assistance or medical assistance who makes such an assignment or transfer while in receipt of the assistance, the assistance sought shall only be granted or continue to be granted in accordance with rules establishing restrictions and eligibility criteria for such cases as adopted by the commissioner of the department of health and human services under RSA 541-A, subject to applicable federal regulations and waiver approval, if any, and review by the oversight committee on health and human services, established in RSA 126-A:13. The oversight committee on health and human services shall make a report to the legislative fiscal committee which shall have final approval authority.

79:577 Effective Date. Sections 569, 570, and 571 of this act shall take effect June 30, 2023.

79:578 Department of Health and Human Services; Study on Graduated Public Assistance Mandated; Appropriation.

I. The department of health and human services shall seek a continuation of the 2021 economic analysis regarding mitigation of the benefits cliff effect for the possible creation, funding, and implementation of graduated, proportional public assistance programs for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings, including the performance of existing pilot programs related to the benefit cliff, and any proposed legislation to the applicable committees of the general court on or before July 1, 2024.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions, such as income levels and hours worked per week. The department shall review the following programs:

(a) The supplemental nutrition assistance program, established under RSA 161:2, XIII, XIII-a, and XIII-b;

(b) The special supplemental nutrition program for women, infants, and children, established under RSA 132:12-a; and

(c) The financial assistance for needy families program, established under RSA 167.

IV. The sum of $200,000 for fiscal year ending June 30, 2023 is hereby appropriated to the department for the purpose of conducting a continued review and economic analysis of the cliff effect as set forth in this section. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:579 Housing Finance Authority; Study on Graduated Public Assistance Mandated.

I. The housing finance authority shall study the creation, funding, and implementation of a graduated, proportional rental assistance housing choice voucher program for individuals who do not qualify for existing assistance within the state.

II. The housing finance authority shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the housing finance authority shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

79:580 New Hampshire Employment Security; Study on Graduated Public Assistance Mandated.

I. New Hampshire employment security shall study the creation, funding, and implementation of a graduated, proportional unemployment compensation program, based upon the program established in RSA 282-A, for individuals who do not qualify for existing assistance within the state.

II. New Hampshire employment security shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, New Hampshire employment security shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

79:581 Department of Energy; Study on Graduated Public Assistance Mandated.

I. The department of energy shall study the creation, funding, and implementation of a graduated, proportional low income home energy assistance program for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions such as income levels.

79:582 Effective Date. Section 578 of this act shall take effect June 30, 2023.

79:583 New Section; Study Commission Established. Amend RSA 284 by inserting after section 6-b the following new section:

284:6-c Study Commission Established.

I. There is established a commission to study the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races.

II.(a) The members of the commission shall be as follows:

(1) Two members of the senate, appointed by the president of the senate.

(2) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(3) The lottery executive director, or the executive director's designee.

(4) One representative of the facility owners.

(5) Two representatives of charitable gaming charities.

(6) The attorney general, or the attorney general's designee.

(7) One member of the public appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall examine how charities are selected and whether a uniform process should exist; whether the state should implement a limit on the number of charitable gaming locations; and whether charging rent to the charities is necessary with historic horse racing. The commission shall bring together different stakeholders to address these questions, and ensure those involved in the process have a voice in the discussion that will result in recommendations benefitting all stakeholders. The commission also shall monitor the benefits of historical horse racing to charities to ascertain whether additional licenses for historical horse racing machines would increase or reduce revenues to charities. The commission shall examine whether host communities should share in proceeds of any charitable gaming establishment.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2024.

VI. The commission shall be administratively attached to the lottery commission.

79:584 Commission to Study Charitable Gaming; Appropriation. There is hereby appropriated to the lottery commission the sum of $150,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of studying charitable gaming and soliciting input from stakeholders. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:585 Effective Date. Section 584 of this act shall take effect June 30, 2023.

79:586 Repeal. RSA 284:6-c, relative to studying the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races, is repealed.

79:587 Effective Date. Section 586 of this act shall take effect July 1, 2025.

79:588 State College and University System; Finances; Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b to read as follows:

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship ***or Guardianship After Being in State Foster Care.***

I. An eligible individual who enrolls full-time or part-time, with the approval of the division for children, youth and families, in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state shall not be required to pay tuition or mandatory fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than [~~23~~] ***26*** years of age and who is or was:

(a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;

(b) In state guardianship or custody at the time of his or her 18th birthday;

(c) In guardianship, after being in state foster care or guardianship, at the time of their 18th birthday;

(d) In placement out-of-state, through the interstate compact for the placement of children, at the time of their 18th birthday;

[~~(c)~~] ***(e)*** Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender ***or termination*** of parental rights; or

[~~(d)~~] ***(f)*** In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 18th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms provided and within the deadlines established by the university system of New Hampshire and the community college system of New Hampshire for their respective institutions. [~~No more than 15 tuition waivers per year shall be granted by the university system of New Hampshire and no more than 15 tuition waivers per year shall be granted by the community college system of New Hampshire.~~] ***In any year, no more than 70 tuition waivers shall be granted by the university***

and community college systems of New Hampshire. Of these 70 tuition waivers, 35 shall be allocated to the university system and 35 shall be allocated to the community college system. The university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop eligibility criteria for their respective institutions designed to give the children with the greatest financial need first priority in the tuition waiver program. Such eligibility criteria shall also include provisions for continuing eligibility based on continued full-time or part-time, with the approval of the division for children, youth and families, enrollment and satisfactory academic progress as defined by the institution.

IV. An eligible individual may also apply for a room and board scholarship under the provisions of RSA 187-A:20-a, II without having to comply with the provisions of RSA 187-A:20-a, I.

79:589 New Subdivision; Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program. Amend RSA 188-F by inserting after section 69 the following new subdivision:

Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program

188-F:70 Program Established.

I. There is hereby established in the community college system of New Hampshire the New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program. To the extent of available funds, New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians may receive reimbursement, upon successful completion, for the cost of one course per semester, including required fees, in a degree program at an institution in the community college system as approved for that individual upon recommendation of the person's supervisor and the committee. Such courses may be in any field leading to a degree in an area of study approved by the commission.

II. Upon employment by a New Hampshire fire service, a graduate of the New Hampshire fire academy, or the entity that paid for the cost, with the recommendation of the employee's supervisor and the approval of the committee, shall receive full reimbursement for the cost of the academy not covered by other funding sources.

188-F:71 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program Committee Established.

I. There is hereby established the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program committee. The members of the committee shall be as follows:

(a) The commissioner of the New Hampshire department of safety, or designee. The commissioner, or designee, shall serve as chairperson of the committee.

(b) The chancellor of the community college system of New Hampshire, or designee.

(c) The director of the New Hampshire police standards and training council, or designee.

(d) The director of the New Hampshire Fire Academy, or designee.

(e) The president of the New Hampshire Association of Chiefs of Police, or designee.

(f) The president of the New Hampshire Police Association, or designee.

(g) The president of the New Hampshire state police union, or designee.

(h) The president of the Professional Firefighters of New Hampshire, or designee.

(i) The president of the New Hampshire Association of Emergency Medical Technicians, or designee.

(j) The president of the New Hampshire Association of Fire Chiefs, or designee.

(k) Three educators from the community college system of New Hampshire, appointed by the chancellor of the community college system of New Hampshire.

II. The committee shall establish criteria and procedures for approval of requests for course reimbursement, allocation of available funds, and student debt payment.

III. The community college system shall determine the number of credits and the course equivalents granted for graduation from the New Hampshire police standards and training council and the New Hampshire fire academy.

IV. The committee shall report annually to the governor, president of the senate, and speaker of the house of representatives. The report shall include information regarding participation in the program, completion of courses, student debt relief, fire academy tuition reimbursement, and data and other information relative to recruitment and retention, and shall make recommendations for legislation relative to the program, and resources needed to achieve its goals.

188-F:72 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Fund Established. There is hereby established in the state treasury a fund to be known as the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention fund. The fund shall be administered by the community college system of New Hampshire. The fund shall be nonlapsing and continually appropriated to the community college system to support the program established in this subdivision. The community college system shall establish procedures for receiving and disbursing funds, and it shall report to the committee established in RSA 188-F:71 on the operation of the fund. The fund may accept state or federal appropriations or grants, or gifts, grants, or donations from any other source.

79:590 Community College System of New Hampshire; Appropriation. There is hereby appropriated to the community college system of New Hampshire the sum of $1,000,000 for the fiscal year ending June 30, 2023. This sum shall be in addition to any other sums appropriated to the community college system and shall not lapse. Funds shall be used to support the law enforcement

officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program established in RSA 188-F:70. Of the sum appropriated, up to $875,000 shall be used for course reimbursement under the program and up to $125,000 shall be used for New Hampshire fire academy cost reimbursement. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:591 Effective Date. Section 590 of this act shall take effect June 30, 2023.

79:592 New Section; Business Finance Authority; Annual Grants to Regional Economic Development Corporations. Amend RSA 162-A by inserting after section 7-a the following new section:

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

79:593 Prospective Repeal; 2033. RSA 162-A:7-b, relative to annual grants to regional economic development corporations, is repealed.

79:594 Effective Date. Section 593 of this act shall take effect June 30, 2033.

79:595 Prohibited Political Contributions; Candidate or Candidate Committee. RSA 664:4, V is repealed and reenacted to read as follows:

V. By any candidate committee, non-candidate political committee, or political advocacy organization in excess of the following amounts:

	Maximum amount contributed during exploratory phase	Additional maximum amount that may be contributed for the primary election.	Additional maximum amount that may be contributed for the general election.	Total maximum amount of contributions:
Contributed to:				
Candidate or Candidate Committee	Unlimited	Unlimited	Unlimited	Unlimited
Non-candidate political committee or political party	Unlimited	Unlimited	Unlimited	Unlimited
Political advocacy organization	Unlimited	Unlimited	Unlimited	Unlimited

79:596 Effective Date. Section 595 of this act shall take effect upon its passage.

79:597 Joint Legislative Historical Committee; Rogers Johnson Portrait. The joint legislative historical committee established under RSA 17-I:1 may accept a gift of a portrait of Rogers Johnson and oversee the hanging of the portrait in the state house.

79:598 Department of Health and Human Services; Early Childhood Mental Health Consultation Pilot Program.

I. The department of health and human services shall implement a minimum 2-year pilot program to develop and maintain a publicly available network of trauma-informed early childhood mental health consultants and ensure ongoing training and consultation of the early childhood mental health consultants. The department may consult with outside resources when establishing the pilot program. Under the pilot program, early childhood mental health consultations shall be:

(a) Provided by qualified mental health professionals who possess a masters or doctoral-level degree in the mental health field and who demonstrate evidence of specialized training and experience in infant and early childhood mental health as established by the department;

(b) Offered, if necessary, to children across settings and regardless of changes to setting and placement;

(c) Integrated with other available behavioral health and family support services providers, including but not limited to the care management entities established under RSA 135-F, early childhood mental health services, and early supports and services; and

(d) Implemented in accordance with this section and include, but not be limited to, the following services:

(1) Conducting observation and assessment of a child and their caregivers across child care settings, including universal strengths-based assessments in accordance with this chapter and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure to stress and symptoms, emotional and behavioral development, and the strengths and needs of the caregiving/child-caregiver relationship;

(2) Consulting with caregivers, teachers, directors, administrators, and other medical and behavioral health providers about the meaning of challenging behaviors and how to meet the needs of the child and care givers;

(3) Strengthening caregiver and professional capacity to successfully handle challenging behaviors though developmentally appropriate methods, including but not limited to reflective questioning, developmental guidance, modeling, and role playing;

(4) Offering training in young child socio-emotional development, emotional and behavioral regulation, and trauma exposure to caregivers and professionals; and

(5) Be provided to any child 0 to 6 years of age presenting with behaviors substantially interfering with their successful engagement in child care and to any child who is placed or at risk of being placed in foster care within 30 days of their placement in care.

II. The department shall establish the eligibility and referral process for consultations that prioritize children in foster care or at risk of being placed in foster care.

III. Notwithstanding any paragraph of this section, the availability of consultations shall be subject to available appropriations to this program.

79:599 Appropriation; Early Childhood Mental Health Consultation Pilot Program. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to support the early childhood mental health consultation pilot program. Said funds shall not lapse and shall be allocated equally in each year of the biennium ending June 30, 2025.

79:600 Effective Date. Section 599 of this act shall take effect June 30, 2023.

79:601 Appropriation; Department of Education; Adult Education. The sum of $500,000, in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education for the purpose of increasing funding available for grants to adult education programs during the biennium ending June 30, 2025. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:602 Effective Date. Section 601 of this act shall take effect June 30, 2023.

79:603 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend RSA 4:45, I and II to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

(a) Nature of the emergency;

(b) Political subdivisions or geographic areas subject to the declaration;

(c) Conditions that have brought about the emergency; and

(d) Duration of the state of emergency, if ***declared by the governor and*** less than [~~21~~] ***28*** days, ***or if declared by the general court and less than 90 days.***

II.(a) A state of emergency shall terminate automatically [~~21~~] ***28*** days after its declaration ***if declared by the governor, or 90 days after its declaration if declared by the general court,*** unless it is renewed under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency [~~as many times as~~] ***no more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the inhabitants of this state. ***The general court may, by concurrent resolution, renew a declaration of a state of emergency as many times as it finds is necessary to protect the safety and welfare of the inhabitants of this state.***

(b) If the governor finds that maintaining the state of emergency is no longer justified, the governor shall issue an executive order terminating the state of emergency.

(c) The legislature may terminate a state of emergency or any emergency order issued thereunder by a [~~majority vote of both the senate and the house of representatives~~] ***concurrent resolution adopted by a majority vote of each chamber***. A majority for this vote shall consist of a majority of members present and voting in each chamber acting separately. A state of emergency shall terminate upon a [~~majority vote of both chambers~~] ***concurrent resolution adopted by a majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

[~~(d) Ninety days from the date of declaration of a state of emergency, and every 90 days thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire constitution, and address a joint session of the general court, and shall provide a written copy of the address to all members of both chambers within 5 business days. At such joint session, the legislature shall vote on whether to terminate the state of emergency by concurrent resolution adopted by a simple majority of both chambers acting separately on the following question: "Shall the current state of emergency be terminated?" For purposes of this section, "simple majority" means a majority of members present and voting "yea" in both chambers.~~]

79:604 Effective Date. Section 603 of this act shall take effect upon its passage.

79:605 Career and Technical Education Incentive Grant. Recognizing the inherent transportation barriers to participation in career and technical education by students in sending school districts, there shall be established a career and technical education incentive grant, the purpose of which is to encourage transportation of students from sending career and technical education programs to receiving career and technical education programs. Awards made under this grant program shall be on a competitive basis based on criteria established by the department of education.

79:606 Career and Technical Education Incentive Grant; Appropriation. The department of education is hereby appropriated $4,000,000 of non-lapsing funds in the fiscal year ending June 30, 2023, for the establishment of a competitive grant program to encourage transportation of students from sending career and technical education programs to receiving career and technical education programs. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund.

79:607 Effective Date.

I. Section 605 of this act shall take effect upon its passage.

II. Section 606 of this act shall take effect June 30, 2023.

79:608 New Section; Immigration Checkpoints. Amend RSA 265 by inserting after section 1-c the following new section:

265:1-d Immigration Checkpoints. When any state, county, or municipal police department or law enforcement agency is informed by a federal agency of intent to conduct an immigration checkpoint, the department or agency shall give notice to the public within 24 hours of when the checkpoint is scheduled to occur or as soon as is practical. The notice shall disclose, if known, the date, municipality, and geographical area in which the checkpoint will occur. Notice to the public shall be provided by publishing this information on the government agency's website.

79:609 Findings; Children's Mental Health. The general court recognizes that the ongoing mental health, substance misuse, and child protection crises have taken a significant toll on New Hampshire's children, families, and taxpayers, and New Hampshire schools are challenged daily to support the behavioral health needs of students while promoting academic achievement for all students. In response, the New Hampshire department of education's office of social and emotional wellness has supported approximately 37 New Hampshire school districts in implementing an evidence-based prevention framework to support the behavioral health and wellness of all students, called multi-tiered system of support for behavioral health and wellness, or MTSS-B. MTSS-B is a key component of the system of care established under RSA 135-F.

79:610 Appropriation; Department of Education; Children's Mental Health; MTSS-B Framework. The sum of $900,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to perform the statutory duties described under RSA 135-F:5. The appropriation contained in this section shall lapse in the event suitable federal funding for equal or higher value than the appropriation contained in this section is received, or on June 30, 2025, which ever is earlier. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

79:611 Effective Date. Section 610 of this act shall take effect June 30, 2023.

79:612 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2023.

Approved: June 20, 2023
Effective Date:
Unless otherwise specified, the remainder of this act shall take effect July 1, 2023

Amendments

Secs 85-88 + EFFECTIVE DATE - OTP/A
ROLLCALL: 15-8 ADOPTED! → RECONSIDERATION
ADOPTED.

Senate Finance
May 31, 2023
2023-2076s
05/08

Remainder of Bill: OTP/A ROLLCALL: 24-0 ADOPTED!

OTP/A:

ROLLCALL: 14-9 Bradley ADOPTED!

Amendment to HB 2-FN-A-LOCAL

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

1 Department of Information Technology; Divisions Established. Amend RSA 21-R:5 to read as follows:

21-R:5 Divisions Established. The commissioner shall establish 4 divisions, ***business relationship management, user experience, infrastructure and operations, and user services,*** which shall be in alignment with the department's statewide strategic plan. Each division shall be under the supervision of a division director appointed pursuant to RSA 21-R:3.

2 Department of Information Technology; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of information technology may fill unfunded positions during the biennium ending June 30, 2025 provided that the total expenditures for such positions shall not exceed the amount appropriated for personnel services.

3 Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:26 to read as follows:

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

4 Regional Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:27, II to read as follows:

II. A student in the program shall be provided funding for enrollment in no more than [~~2~~] *4* dual or concurrent enrollment courses taken in grade 10, no more than [~~2~~] *4* dual or concurrent enrollment courses taken in grade 11, and no more than [~~2~~] *4* dual or concurrent enrollment courses taken in grade 12. A student may take more than [~~2~~] *4* dual or concurrent enrollment courses per year at his or her own expense.

5 Dual and Concurrent Enrollment Program; Appropriation. The sums of $2,500,000 for the fiscal year ending June 30, 2024, and $2,500,000 for the fiscal year ending June 30, 2025, are hereby appropriated to the community college system of New Hampshire for the purpose of providing

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scholarships and program support for the dual and concurrent enrollment program under RSA 188-E:26. These appropriations shall be in addition to any other funds appropriated to the community college system of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said appropriations shall not lapse.

6 Community College System of New Hampshire; Employment; Benefits; Retirement System Status. Amend RSA 188-F:7, I and II to read as follows:

I. Any changes to the conditions of employment, compensation, and benefits of community college system of New Hampshire employees covered by collective bargaining agreements shall be negotiated through the collective bargaining process, ***except that community college system employees covered by collective bargaining agreements hired on or after July 1, 2023 shall have the option of membership in the retirement system pursuant to RSA 100-A or a defined contribution plan as designated by the board of trustees.***

II. The community college system of New Hampshire shall[~~, as of the effective date of this section,~~] be considered an employer for the purposes of RSA 100-A:1, IV. Full-time employees of the community college system of New Hampshire [~~as of the effective date of this section~~] ***who are active retirement system members or who elect membership in the retirement system*** shall be considered employees for the purposes of RSA 100-A:1, V.

7 New Hampshire Retirement System; Definitions; Employee. Amend RSA 100-A:1, V to read as follows:

V. "Employee" shall mean any regular classified, nonclassified, or unclassified officer or employee of the state or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer, or employees of the general court who work on a full-time basis and are eligible for other state benefits, but whose salary is calculated on a per diem basis, or any employee of the retirement system, or any full-time employee of the community college system of New Hampshire ***who is an active retirement system member or who elects membership in the retirement system,*** or of any of the groups authorized to participate under this chapter but excluding any person who is a teacher, permanent policeman, or permanent fireman as defined in this section, or who is a member or attache of the general court or member of the executive council.

8 Appropriation; University System of New Hampshire; Whittemore Center Arena. There is hereby appropriated to the University of New Hampshire the sum of $6,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, and shall be expended for the purpose of renovating and expanding the Whittemore Center Arena. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Effective Date. Section 8 of this act shall take effect June 30, 2023.

10 New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive Program. Amend RSA 176:16 by inserting after paragraph V the following new paragraph:

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VI. The commission is authorized to transfer funds for its employee incentive program from the liquor commission fund to such accounts as required to compensate qualifying employees as provided in the liquor commission rules, Liq 800.

11 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c: classes 10-personal services-perm classified, 11-personal services unclassified, 12-personal services unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed, and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that any transfer of $100,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

12 Department of Corrections; Unclassified Positions Established.

I. The unclassified positions of deputy director of health services, deputy director of rehabilitative services, and deputy warden are hereby established in the department of corrections and shall be qualified for the positions by reason of education and experience, shall be appointed by the commissioner of the department of corrections, and shall serve at the pleasure of the commissioner. The positions shall be as follows:

(a) The deputy director of health services shall oversee the uniform integration of allied healthcare, dental services, health information management, and contractual healthcare services into the comprehensive medical and behavioral health system operated by the department of corrections, and ensure adherence of licensed clinical staff to the laws, rules, standards, and policies of their respective practices. In addition, the deputy director of health services will oversee the department's business agreements to ensure compliance with the health insurance portability and accountability act and its application within a correctional environment. This position shall also establish an organizational reporting structure to ensure that all licensed clinical staff receive adequate and appropriate supervision. Direct reports shall include the facility classified and contracted health administrators and all allied healthcare and health information management staff.

(b) The deputy director of rehabilitative services shall oversee the uniform integration of institutional rehabilitative programs, reentry services, faith-based services, educational and vocational offerings, and family-based services operated by the department of corrections at all locations for those incarcerated, and ensure adherence by certified professionals to the standards, rules, and policies of their respective practices. In addition, this position will oversee and ensure compliance with applicable grants and contractual agreements with external partners and seek out further resources to integrate into the correctional setting to improve programmatic services for the incarcerated population. The deputy director of rehabilitative services will also establish an organizational reporting structure to ensure all staff, including certified educational professionals,

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receive adequate and appropriate supervision. Direct reports shall include, but are not limited to, the facilities classified administrators of program services, the education director, and institutional program management staff.

(c) The deputy warden of the New Hampshire state prison for men will work in close and immediate contact with prisoners on a daily basis, having responsibility for security. This position will administer and direct facility objectives by assessing needs and operational effectiveness, establishing controls, and monitoring key performance measures and other quality improvement protocols related to the identified organizational goals of the department and the New Hampshire state prison for men. This position will assist the warden in management of the New Hampshire state prison for men and its security force. This position will conduct post-incident reviews to determine the scope of actions taken and whether those actions comply with applicable state law, administrative rules, policies and procedures, training, and proper use of force. This position will meet with incarcerated individuals and staff as necessary to determine the validity of requests and report on outcomes and areas of improvement to the warden. This position will oversee supervision of prison security operations, bureau of classifications and client records, hobby craft/recreation staff, and related program activities. This position will work with the warden on facility budget planning and development as it relates to equipment and operational costs. This position will maintain its group II law enforcement classification in the retirement system due to its being in close and immediate contact with incarcerated individuals on a daily basis.

II. The commissioner shall appoint a person to each position established pursuant to paragraph I. Any vacancy shall be filled in the same manner as the original appointment.

III. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions, which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. Upon completion of the appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234, 02-46-46-469010-8232, and 02-46-46-463510-8372. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's appointment to the unclassified positions:

(a) Administrator IV (Deputy Director of Health Services) #12849.

(b) Administrator IV (Deputy Director of Rehabilitative Services) #19953.

(c) Administrator IV (Deputy Warden) #16320.

13 Department of Corrections; Authorization to Transfer to Group II of the New Hampshire Retirement System. Pursuant to RSA 100-A:3, IX, the following positions in the department of corrections classified as group I positions are deemed to have met the requirement of RSA 100-A:1, VII(b) and shall be transferred to group II status in the New Hampshire retirement system:

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I. Licensed Nursing Assistant III, #44273.

II. Licensed Nursing Assistant I, #44291.

III. Administrator - Secure Psychiatric Unit, #16849.

14 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [~~professional standards director,~~] director of personnel and information, director of rehabilitative services, and the division directors of the department shall be as specified in RSA 94:1-a.

15 Department of Corrections; Position Reallocation; Appropriation.

I. The department of administrative services is hereby authorized to conduct a reallocation of all the certified corrections officer and internal affairs investigators from the rank of corrections officer trainee through the rank of major at the department of corrections. The department of administrative services shall conduct an assessment review of the reallocation request pursuant to personnel rule Per 303.

II. The governor is authorized to draw a warrant for said sums in this section out of any money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such funds shall not lapse until June 30, 2025.

16 Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III-a and IV to read as follows:

III-a. The commissioner shall nominate for appointment by the governor and council a chief operations officer of the commissioner's office who shall serve for a term of 4 years. The chief operations officer shall oversee and coordinate the activities of the administrative services ***unit*** [~~, geology, public information and permitting, and laboratory services units,~~] and shall be responsible for the following functions:

(a) Preparing agency budget requests.

(b) [~~Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office.~~

~~(c) Ensuring compliance with directives and procedures by the governor and general court.~~

~~(d) Implementing audit recommendations concerning the commissioner's office units.~~

~~(e)~~] Carrying out the directives of the commissioner and assistant commissioner.

IV. ***The commissioner, or assistant commissioner, as designated by the commissioner, shall be responsible for the following functions:***

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(a) Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office;

(b) Ensuring compliance with directives and procedures by the governor and general court; and

(c) Implementing audit recommendations concerning the commissioner's office units.

V. The salaries of the commissioner, the assistant commissioner, the chief operations officer, and each division director shall be as specified in RSA 94:1-a.

17 Department of Environmental Services; Office of the Commissioner. Amend RSA 21-O:12 to read as follows:

21-O:12 Office of the Commissioner. The commissioner of environmental services shall establish units within [~~his~~] ***the*** office to be responsible for: administrative services, [~~geology~~] ***geological survey, human resources***, planning, public information and permitting, risk analysis and management, and [~~laboratory services~~] ***legal***, which shall include the following functions and such other functions as may be assigned by the commissioner:

I. Administrative services shall include the following services to all divisions, to the greatest extent possible:

(a) Accounting, purchasing, and budget control.

(b) Personnel management.

(c) Property, contracts, and grants management.

[~~(d) Data processing.~~

~~(e) Compiling, indexing, and managing data collected by all divisions, which shall be used to establish a departmental data base for use by all divisions of the department, and which shall be a public record.~~]

II. Geology shall be under the direction of the state geologist, who shall be the director of the New Hampshire geological survey. The geological survey shall collect data and perform research on the land, mineral, and water resources of the state, and disseminate the findings of such research to the public through maps, reports, and other publications. The state geologist shall: consult with the commissioner of the department of natural and cultural resources relative to the issuance of mining permits under RSA 12-E; assist the directors of the divisions of water and waste management as necessary; and perform such other duties as may be assigned by the commissioner. The state geologist and all members of the New Hampshire geological survey shall be staff members of the commissioner's office. The state geologist shall advise the department, and all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geologic agencies and with the state university. The state geologist shall also serve as a voting

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member of the board of professional geologists.

III. Planning shall be under the direct supervision of the assistant commissioner and shall include all department-level short- and long-range planning activities and the coordination and compilation of all division-level planning activities.

IV. Public information and permitting shall assist members of the general public[~~,~~] whenever possible by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements.

V. The risk analysis and management function shall be the direct responsibility of the assistant commissioner, in accordance with RSA 125-H:7. The commissioner may call on any personnel from any division or any other state department to assist the assistant commissioner in the event of a crisis, disaster, or other occurrence or condition requiring analysis and management of an actual or suspected risk of damage to the environment. The unit, once assembled by the commissioner in the event of a crisis, disaster, occurrence, or condition, shall work closely with the risk assessment bureau in the department of health and human services under the direction of the assistant commissioner to:

(a) Make assessments of potential or actual risk of harm to the environment or, in cooperation with the risk assessment bureau of the department of health and human services, to persons.

(b) Manage environmental risk hazards using the results of the assessment described above or any other available information to develop and evaluate regulatory options, within a statutory framework, to reduce or eliminate the risk of harm to the environment.

[~~VI. Laboratory services shall include such expert assistants and such facilities as are necessary to support the investigatory, analytical, and enforcement functions of the department of environmental services. The commissioner shall provide the commissioner of the department of health and human services with direct access to all raw data, test results, and other information and samples received or generated by the laboratories in the department deemed necessary by the commissioner of the department of health and human services in order to carry out his or her responsibilities to protect the public health.~~]

18 Department of Justice; Attorney General; Deputy; Associates; Assistants. Amend RSA 21-M:3, VIII-IX to read as follows:

VIII. The attorney general shall appoint qualified applicants to serve as [~~a~~] hearing [~~officer~~] ***officers*** for appeals to any of the councils established under RSA 21-O. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to transfer funds sufficient to fund the hearing officer position***, clerical and support personnel and services,*** and related expenses. Such individual or individuals shall:

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(a) Be ***an attorney*** qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts, ***preferably a retired justice of the superior or supreme court***; and

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department.

VIII-a. Upon request by the commissioner of the department of environmental services, the attorney general shall appoint qualified applicants to serve as hearing officers for all administrative enforcement matters authorized under any provision of law, including, but not limited to, administrative fines and license actions. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be an attorney qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts;

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department;

(c) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences; and

(d) Provide the commissioner with a proposed written decision on the merits within 45 days of the conclusion of the final hearing.

IX. When designated as the hearing officer for a particular appeal ***to any of the councils established under RSA 21-O***, the hearing officer shall:

(a) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences;

(b) Subject to RSA 21-O:14, at the first prehearing conference order the parties and any persons who have been allowed to intervene to participate in mediation if the hearing officer concludes that it is reasonably possible that mediation will result in the resolution of the issues in dispute in the proceeding. No order to mediate shall stay the appeal proceeding;

(c) Adopt all findings of fact made by the council except to the extent any such finding is without evidentiary support in the record;

(d) Deliberate with the council before reaching conclusions on mixed questions of law and fact;

(e) Decide all questions of law presented during the pendency of the appeal; and

(f) Prepare and issue written decisions on all motions and on the merits of the appeal within 100 days of the conclusion of the hearing on the merits. The hearing officer shall provide the council with a proposed written decision on the merits within 45 days of the conclusion of the hearing on the merits. If requested to do so by the members of the council participating in the

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discussion, the hearing officer shall meet with those members within the 100-day period to discuss the decision.

19 Department of Environmental Services; Duties of Commissioner. Amend RSA 21-O:3, VIII-X to read as follows:

VIII. Provide all necessary clerical and technical support to any council established by this chapter. At a minimum, the commissioner shall:

(a) [~~For any appeal from a department decision before any such council provide all necessary clerical and support personnel and services in order to:~~

~~(1) Prepare notices and other documents required under RSA 541-A and distribute such notices and documents as directed by the hearing officer appointed under RSA 21-M:3, VIII;~~

~~(2) Schedule the conduct of all council administrative appeal proceedings, as directed by the hearing officer appointed under RSA 21-M:3, VIII so as to ensure timely and efficient conduct of such proceedings;~~

~~(3) Prepare and maintain the record, required by RSA 541-A, of all such appeals, which shall include the decisions issued in such proceedings.~~

~~(b)~~] Provide comfortable and adequate space for the use of all councils in performing their official duties; and

[~~(c)~~] ***(b)*** Provide all necessary clerical and support personnel and services in order to:

(1) Prepare and distribute notices and other documents required under RSA 91-A for council meetings; and

(2) Prepare and maintain as public records the official minutes of the meetings of all councils supported by the department.

VIII-a. Have the authority to enter into a memorandum of understanding with the attorney general pursuant to RSA 21-M:3, VIII and VIII-a, to fund the hearing officer position, clerical and support personnel and services, and related expenses.

IX. [Repealed.]

X. [Repealed.]

20 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, V to read as follows:

V. ***A quorum of at least 3 members of*** the wetlands council shall hear all administrative appeals from department decisions made under RSA 482-A relative to wetlands, or under RSA 483-B relative to shoreland protection and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

21 Department of Environmental Services; Water Council. Amend RSA 21-O:7, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the water council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of

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water other than department decisions made under RSA 482-A relative to wetlands and RSA 483-B relative to shoreland protection, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

22 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, V to read as follows:

V. ***A quorum of at least 3 members of*** the waste management council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of waste management, and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

23 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, IV to read as follows:

IV. ***A quorum of at least 3 members of*** the air resources council shall hear all administrative appeals from department decisions relative to the functions and responsibilities of the division of air resources and shall decide all disputed issues of fact in such appeals, in accordance with RSA 21-O:14.

24 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, I-a(a) to read as follows:

I-a.(a) Any person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal ***such decision by submitting a notice of appeal*** to the council having jurisdiction over the subject matter of the appeal within 30 days of the date of the decision and shall set forth fully in a notice of appeal every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal shall be considered by the council. On any such appeal, the council shall determine whether the department decision was unlawful or unreasonable by reviewing the administrative record together with any evidence and testimony the parties to the appeal may present.

25 Department of Environmental Services; Appeals Process Study Committee Established.

I. There is hereby established a committee to study the appeals process administered by the environmental councils established under RSA 21-O.

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

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives; and

(b) One member of the senate, appointed by the president of the senate.

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

IV. The duties of the committee shall be as follows:

(a) Study the appeals process of the environmental councils established in RSA 21-O with a focus on expediting appeals resolutions;

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(b) Improve the cost effectiveness of the appeals process; and

(c) Consult with the chairmen of the four environmental councils to accomplish these goals.

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

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2023.

26 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30, I-b to read as follows:

I-b. [~~There is hereby established the subsurface systems fund into which~~] The fees collected under paragraph I shall be deposited ***in the water resources fund established in RSA 482-A:3, III*** [~~. The fund shall be a separate, nonlapsing fund, continually appropriated to the department~~] for the purpose of paying all costs and salaries associated with the subsurface systems program ***and other land resources management programs.***

27 Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed.

28 Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to wetlands under RSA 482-A, protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17, conducting field investigations, ***individual sewage disposal systems and subdivisions under RSA 485-A:30,*** and holding public hearings. Such fees and any monetary grants, gifts, donations, or interest generated by these funds shall be deposited with and held by the treasurer in a nonlapsing ***and continuously appropriated*** fund identified as the water resources fund.

29 Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. Amend RSA 485-A:7-a, II to read as follows:

II. All applications shall be accompanied by a $50 fee to cover department expenses for conducting the certification program. All fees shall be deposited [~~with the state treasurer and deposited~~] in a special, nonlapsing, ***and continuously appropriated*** wastewater plant operator certification fund to be used by the department for the administration of this subdivision and for the operation of the department-owned Wastewater Plant Operator Training Center.

30 Water Management and Protection; Aid to Municipalities for Water Pollution Control;

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Application for Funding. Amend RSA 486:7 to read as follows:

486:7 Application for Funding. Application for payments under the provisions of this chapter shall be made in accordance with rules adopted by the department under RSA 541-A, and shall be based upon reports filed with the department prior to January 31 in the calendar year for which payment is being requested. ***Final applications must be received within one year of final completion of project to be eligible for funding.***

31 Appropriation; Department of Environmental Services; Municipal Water Pollution Control. There is hereby appropriated to the department of environmental services the sum of $27,900,000 for the fiscal year ending June 30, 2023 for the purpose of administering payments pursuant to RSA 486:1-RSA 486:8. The sum appropriated shall be nonlapsing. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

32 Effective Date. Section 31 of this act shall take effect June 30, 2023.

33 Water Management and Protection; Water Pollution and Waste Disposal; Enforcement; Terrain Alteration. Amend RSA 485-A:17, II(b) to read as follows:

(b) The department shall charge a non-refundable fee of $500 plus a $.10 per square foot ***of disturbance associated with the amendment request*** fee for each request to amend a permit that requires plans to be reviewed.

34 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

II. To provide funds for the municipal share of the costs involved pursuant to this subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of [~~$3,000,000~~] ***$30,000,000*** and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

35 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee River Basin Control; Municipal Assessments. Amend RSA 485-A:50, III to read as follows:

III. The respective share of the assessments made in paragraphs I and II shall be paid to the department by each municipality quarterly [~~on July fifteenth, October fifteenth, January fifteenth, and April fifteenth of that fiscal year~~], except for capital cost recovery assessments which shall be paid annually [~~on July fifteenth~~]. After the close of each fiscal year, the department shall ascertain its actual total expenses in accordance with the foregoing provisions, and then shall adjust the assessment for the second quarterly payment of the new fiscal year for each such municipality served for any under-payment or over-payment by each such municipality served for the prior fiscal year.

36 New Chapter; PCB Assistance. Amend RSA by inserting after chapter 483-E the following new chapter:

CHAPTER 483-F

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PCB ASSISTANCE

483-F:1 Purpose Statement. The general court recognizes that polychlorinated bi-phenyl (PCB) contamination is widespread in New Hampshire and impacts both land and water. As a result of PCB laden products used both as intended and inappropriately dumped from 1929-1977, over 100 waterways have become impaired for fish consumption. In addition, waterfowl have been found to have high levels of PCBs in their blood and in their eggs. The general court hereby declares that the purpose of this chapter is to better understand the impact of PCBs on aquatic life and to ameliorate those impacts to the greatest extent possible.

483-F:2 Definitions. In this chapter:

I. "Department" means the department of environmental services.

II. "Fund" means the PCB assistance fund established in this chapter.

483-F:3 PCB Assistance Fund.

I. There is hereby established in the department the PCB assistance fund which shall be maintained in distinct and separate custody from all other funds, notwithstanding RSA 6:12. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services for the purposes of this chapter.

II. The commissioner may apply for and accept, from any source, gifts; donations of money; grants; federal, local, private, and other matching funds and incentives; and interests in land for the purposes of this chapter. The moneys collected under this paragraph shall be deposited in the fund established under paragraph I of this section.

III. The commissioner shall adopt rules relative to the distribution of money from the fund, taking into consideration ability to pay, natural disaster conditions and locations, requirements for repair, replacement and treatment, and other factors as determined by the department.

37 Appropriation; Department of Environmental Services; PCB Contamination. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the department of environmental services for the purpose of assisting to fund studies, investigations and remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

38 Effective Date. Section 37 of this act shall take effect June 30, 2023.

39 New Subdivision; InvestNH Program. Amend RSA 12-O by inserting the following new subdivision after section 68:

InvestNH Fund and Program

12-O:69 Fund established. There is hereby established in the office of the state treasurer a fund to be known as the InvestNH fund. The fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source. The fund may be expended by the commissioner to accomplish the purposes of RSA 12-O:70. The moneys in this fund shall be

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non-lapsing.

12-O:70 InvestNH Program. The department shall establish a program to make grants and loans for the purpose of improving the ability to accelerate the approval of affordable workplace housing as defined in RSA 674:58, IV, and other types of housing determined by the department to be important for the economic development of the state. Grants and loans may be made by the department to municipalities and to housing developers in which at least 20 percent of the housing units to be developed will be affordable for a period of at least 10 years. Such units will be affordable to and intended for occupancy by households with incomes up to 80 percent of the area median income, as established by the U.S. Department of Housing and Urban Development. The program shall be known as the InvestNH Program. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024.

40 New Subparagraph; Application of Receipts; InvestNH Program. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the InvestNH fund as established in RSA 12-O:69.

41 Appropriation; InvestNH. The sum of $10,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the InvestNH fund established in RSA 12-O:69 for the purposes set forth in RSA 12-O:70. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

42 Effective Date. Section 41 of this act shall take effect June 30, 2023.

43 Appropriation; Affordable Housing Fund. The sum of $20,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established by RSA 204-C:57, the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

44 Effective Date. Section 43 of this act shall take effect June 30, 2023.

45 Repeals; Advanced Manufacturing Education. The following are repealed:

I. RSA 188-E:21, relative to the advanced manufacturing education advisory council.

II. RSA 188-E:22, relative to the advanced manufacturing education advisory council membership and terms.

III. RSA 188-E:23, relative to the advanced manufacturing education advisory council duties.

IV. RSA 188-E:23-a, relative to the advanced manufacturing education fund.

46 New Subdivision; Bridges House Special Account. Amend RSA 4:9 by inserting after section 4:9-r the following new subdivision:

Bridges House Special Account

4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the

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state treasury the bridges house special account fund. The funds may be comprised of public funds, gifts, grants, donations or any other source of funds, and shall be used for the purposes of the care, maintenance, repair of, and additions to, the bridges house, or for any other relevant purpose deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be continually appropriated to the department.

47 New Subparagraph; Application of Receipts; Bridges House Special Account. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the bridges house special account fund under RSA 4:9-s.

48 New Section; Department of Corrections; New Hampshire State Prison Fund Established. Amend RSA 21-H by inserting after section 16 the following new section:

21-H:17 Department of Corrections; New Hampshire State Prison Fund Established. There is hereby established in the state treasury a state prison fund, which shall be administered by the department of corrections. The fund shall not lapse. The fund is established for the purpose of design and construction of a new New Hampshire state prison.

49 New Subparagraph; Application of Receipts; New Hampshire State Prison Fund 2023. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire state prison fund under RSA 21-H:17.

50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is hereby appropriated to the department of corrections the sum of $10,000,000 for the fiscal year ending June 30, 2023 for deposit in the New Hampshire state prison fund under RSA 21-H:17, for the purpose of preliminary design and complete site survey for a new state prison. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

51 Effective Date. Sections 48-50 of this act shall take effect June 30, 2023.

52 Appropriation; Department of Corrections; IT Infrastructure. There is hereby appropriated to the department of corrections the sum of $1,340,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing certain computers and information technology infrastructure. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

53 Effective Date. Section 52 of this act shall take effect June 30, 2023.

54 Appropriation; Department of Administrative Services. There is hereby appropriated to the department of administrative services the sum of $21,000,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 2 Granite Place, Concord, New Hampshire in order to provide office space for the department of justice and other state agencies, or for any other purpose the commissioner of the department of administrative services determines is necessary, provided that any unexpended amount following the completion of the purchase shall lapse to the general fund.

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The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

55 Effective Date. Section 54 of this act shall take effect June 30, 2023.

56 Appropriation; One Granite Place. The sum of $13,000,000 is hereby appropriated for the biennium ending June 30, 2025, to the department of administrative services for the acquisition of the land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire, such building to be used for state government office space. The foregoing appropriation is conditioned upon the prior successful closing of a sale of the former Laconia state school campus property. Such appropriation includes the estimated total amount of $2,000,000 for necessary upgrades to building mechanical systems. The total appropriated amount shall remain subject to adjustment pending completion of a comprehensive inspection of the building and its mechanical systems to be commissioned by the department and paid for from the monies appropriated in 2022, 272:6. The sum hereby appropriated shall be a charge against the proceeds from any sale of the former Laconia state school campus property. Any unexpended amount shall lapse to the general fund.

57 Appropriation; Body-Worn and Dashboard Camera Fund. There is hereby appropriated to the department of safety for deposit in the body-worn and dashboard camera fund established in RSA 105-D:3 the sum of $1,005,000 for the fiscal year ending June 30, 2023. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

58 Effective Date. Section 57 of this act shall take effect June 30, 2023.

59 Department of Natural and Cultural Resources; Christa McAuliffe Memorial.

I. The department of natural and cultural resources shall design, construct, and maintain a permanent memorial to Christa McAuliffe on state house grounds, specifically at the front-facing area of the state house.

II. The governor is authorized to accept for the department of natural and cultural resources, in the name of the state, any gifts of money which are donated to construct and maintain the Christa McAuliffe memorial. Notwithstanding any other provision of law, the department may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial without governor and council approval.

III. Any gifts of money donated to contract, construct, and maintain the memorial shall be placed in the special nonlapsing account in the state treasury, to be expended for the purposes of the Christa McAuliffe memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, and repair of and additions to the memorial, or for any other purpose deemed appropriate.

IV. The memorial shall be permanently affixed to state house grounds, on the front-facing portion of the state house, upon completion.

UNAPPROVED

60 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department of natural and cultural resources the sum of $500,000 for the fiscal year ending June 30, 2023, which shall be placed in a special nonlapsing account in the state treasury, for the purpose of designing, constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds, specifically the front-facing area of the state house. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

61 Effective Date. Sections 59 and 60 of this act shall take effect June 30, 2023.

62 New Section; Department of Education; The Commission on New Hampshire Civics; Commission Established. Amend RSA 21-N by inserting after section 8-b the following new section:

21-N:8-c Commission Established; Department of Education; New Hampshire School Civics Program. The commission on New Hampshire civics is hereby established to develop educational materials to teach the state constitution in New Hampshire schools.

I. Notwithstanding RSA 14:49 the members of the commission shall be as follows:

(a) Three public members appointed by the governor, of which at least one shall be the parent of a student in a qualified New Hampshire education program.

(b) The chair of NH Civics, or designee.

(c) The chief justice of the New Hampshire supreme court, or designee.

(d) The secretary of state, or designee.

(e) The chief administrative judge of the New Hampshire superior court, or designee.

(f) The chief administrative judge of the New Hampshire circuit court, or designee.

(g) The commissioner of the department of education, or designee.

(h) Two New Hampshire civics teachers appointed by the commissioner of education.

(i) The executive director of the New Hampshire Historical Society, or designee.

(j) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(k) One member of the senate, appointed by the president of the senate.

(l) One member of the governor's office, appointed by the governor.

II. The commission shall create a textbook and related curriculum specifically designed for New Hampshire students and teachers to help them explore the history, heritage and principles of the New Hampshire Constitution and the government it established.

(a) A paper copy of the published textbook shall be available for each New Hampshire civics classroom and an interactive electronic version shall be made available on the department of education's website or in another form to all New Hampshire citizens at no charge.

(b) The commission shall meet as often as the chair determines and shall publish the book on or before August 1, 2025.

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III. The members of the commission shall elect a chairperson among the members. The first meeting of the commission shall be called by the first-named governor appointee. The first meeting of the commission shall be held within 30 days of the effective date of this section. A majority of the members of the commission shall constitute a quorum.

63 Department of Education; Commission on New Hampshire Civics. There is hereby appropriated to the department of education, commission on New Hampshire civics established in RSA 21-N:8-c, the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall not lapse, for the purpose of creating a New Hampshire civics textbook to be distributed to every New Hampshire civics classroom. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

64 Effective Date. Section 63 of this act shall take effect June 30, 2023.

65 New Section; Department of Education; Higher Education; Recruitment of Educators. Amend RSA 21-N by inserting after section 8-c the following new section:

21-N:8-d Recruitment of Educators in New Hampshire.

I. In this section:

(a) "Academic residency" means participation in an approved educator preparation program field-based experience under the supervision of a cooperating teacher or mentor.

(b) "Approved program" means an approved professional educator preparation program by the state board of education.

(c) "Educator" means a teacher or certified paraprofessional.

(d) "Eligible student" means a student who is enrolled in an approved program of preparation and eligible for financial assistance because the student's expected family contribution does not exceed 200 percent of the maximum federal Pell-eligible expected family contribution.

(e) "Candidate" means an educator candidate who is participating in an academic residency and placed in a school or community-based setting.

II. There is established an educator recruitment grant program administered by the department of education. Stipends or grants shall be awarded for the purpose of reducing the financial barriers to entering the educator workforce while eligible students gain clinical teaching experience either through a student teaching program or pre-educator preparation program. The program shall:

(a) Provide grants to New Hampshire institutions of higher education that fund programs designed to increase participation in the educator workforce.

(b) Provide grants to fund stipends for candidates during their clinical experience while engaging in education career pathway programs designed to culminate in licensure as an educator.

(c) Stipends for a student teaching program shall be $500 per week for not more than 16 weeks.

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III. The higher education commission shall adopt any rules and guidelines to implement and administer the program.

IV. In order to qualify to participate in the stipend program, a student must be an eligible student and placed as student teacher in a public school or community agency as a candidate working toward an initial teaching certificate.

V. The department shall report annually to the chairs of the senate education committee and the house education committee, on:

(a) The number of students served by the program.

(b) The amounts of stipends received each year.

(c) The reported number of hours each eligible student works a second job to earn income.

VI. If the amount appropriated to the department for use in the educator recruitment grant program in a state fiscal year is insufficient to fully fund the stipends and grants for the total number of eligible students for that state fiscal year, the department shall reduce the amount distributed to each approved program of preparation by the same percentage that the deficit bears to the amount required to fully fund the total number of eligible students who qualify for the stipend program.

66 Department of Education; ARPA and ESSER Funds. The governor shall determine if any discretionary American Rescue Plan Act (ARPA) funds, or Elementary and Secondary School Emergency Relief Fund (ESSER) funds, can be used for the purpose funding the grants and stipends under RSA 21-N:8-d. The department of education may request to accept and expend any such funds from the governor and council and the fiscal committee of the general court pursuant to RSA 14:30-a, VI.

67 Board of Tax and Land Appeals. Amend RSA 71-B:1 to read as follows:

71-B:1 Board Established. There is hereby established a board of tax and land appeals, hereinafter referred to as the board, which shall be composed of 3 members who shall be learned and experienced in questions of taxation or [~~of~~] real estate valuation and appraisal, or [~~of~~] both. ***At least one member of the board shall be an attorney admitted to practice in New Hampshire.*** The members of the board shall be full-time employees and shall not engage in any other employment during their terms that is in conflict with their duties as members of the board.

68 New Section; Retirement Benefits Commission Established. Amend RSA 100-A by inserting after section 57 the following new section:

100-A:58 Retirement Benefits Commission.

I. There is established a commission to study retirement benefits and retention of employees.

II. The members of the commission shall be as follows:

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(a) Four members of the senate, at least one of whom shall be a member of the minority party, appointed by the president of the senate.

(b) Four members of the house of representatives, at least one of whom shall be a member of the minority party, appointed by the speaker of the house of representatives.

(c) One representative of the New Hampshire Municipal Association, appointed by the association.

(d) One representative of the New Hampshire School Boards Association, appointed by the association.

(e) One representative of the New Hampshire Association of Counties, appointed by the association.

(f) One representative of the Professional Firefighters of New Hampshire, appointed by that organization.

(g) One representative of the New Hampshire Troopers Association or New Hampshire Police Association, appointed by mutual agreement.

(h) One teacher, appointed by the National Education Association - New Hampshire.

(i) One state employee, appointed by the New Hampshire State Employees Association.

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

IV. The commission shall examine issues surrounding retirement benefits, including:

(a) The impact retirement benefits have on the retention of employees and the ability to attract new employees.

(b) Whether changes to the current benefit structure are warranted, including the cost and funding source of any proposed change.

(c) The report of the decennial retirement commission.

(d) Analyzing the financial status of the retirement system and performing a risk assessment to the system.

(e) Whether cost of living adjustments (COLAs) or stipend are appropriate and could be funded through employer and employee contributions.

(f) Making recommendations ensuring the long-term viability of the New Hampshire retirement system.

(g) Considering the effect that policy changes have on the state and political subdivisions.

(h) Consideration of a state employer match toward state employee contributions under the state of New Hampshire public employees deferred compensation plan.

V. Members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of

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the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2023.

69 Repeal. RSA 100-A:58, relative to the retirement benefits commission, is repealed.

70 Effective Date. Section 69 of this act shall take effect December 1, 2023.

71 Appropriation; Office of the Child Advocate; Case Management System. The sum of $200,700 for the fiscal year ending June 30, 2023, is hereby appropriated to the office of the child advocate for the purpose of enhancing the case management system. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

72 Effective Date. Section 71 of this act shall take effect June 30, 2023.

73 New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program; Appropriation.

I. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of business and economic affairs for the New Hampshire pulp and paper manufacturing industry stabilization grant program. This appropriation is in addition to any other funds appropriated to the department of business and economic affairs. This appropriation shall lapse on June 30, 2025.

II. In this section, "New Hampshire pulp and paper manufacturer" means a New Hampshire-based entity engaged in the processing or manufacturing of pulp, paper and paperboard products and producing paper products.

III. With the approval of the joint legislative fiscal committee, the department of business and economic affairs shall administer this grant program based on the following criteria:

(a) Applicants shall demonstrate and quantify the impact of COVID-19, infrastructure failures, industry decline, workforce development, and other factors impacting the forest products manufacturing industry in New Hampshire.

(b) Applicants shall demonstrate that jobs will be preserved or created as a result of receiving grant funding under this act.

74 Effective Date. Section 73 of this act shall take effect on June 30, 2023.

75 Program for Recruitment and Retention; Effective Date of Repeal Extended. Amend 2022, 147:3 to read as follows:

147:3 Effective Date.

I. Section 2 of this act shall take effect July 1, [~~2023~~] *2024*.

II. The remainder of this act shall take effect 60 days after its passage.

76 Effective Date. Section 75 of this act shall take effect June 30, 2023.

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77 Appropriation; University System of New Hampshire. There is hereby appropriated to university system of New Hampshire the sum of $3,000,000 in the fiscal year ending June 30, 2023. Said appropriation shall be matched with $3,000,000 from the university system, for a total of $6,000,000, and allocated to Keene state college and Plymouth state university. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

78 Effective Date. Section 77 of this act shall take effect June 30, 2023.

79 New Section; Department of Education. Amend RSA 21-N by inserting after section 12 the following new section:

21-N:13 Computer Science and STEM; Administrator. There is established a position within the department of education who shall be a classified employee at no less than the level of administrator II. The computer science and STEM position shall be qualified to hold such position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The computer science and STEM position shall coordinate and provide assistance to oversee the computer science educator program established in RSA 200-O. The computer science and STEM position shall:

I. Coordinate and provide technical assistance to all public schools in the state that participate in the computer science educator program.

II. Assist educators in the state that pursue eligible industry recognized credentials and utilize the computer science professional development fund.

III. Assist with administering the computer science professional development fund and computer science educator incentive fund.

IV. Coordinate and provide technical assistance with those school and educators that partake in the experiential robotics platform.

V. Serve as a resource for administrators and educators regarding computer science and STEM.

80 New Chapter; Computer Science Educator Program. Amend RSA by inserting after chapter 200-N the following new chapter:

CHAPTER 200-O

COMPUTER SCIENCE EDUCATOR PROGRAM

200-O:1 Purpose. The purpose of this chapter is to promote broader computer science education in New Hampshire with the goal of preparing more students for employment opportunities in this field and to establish the administrator of computer science education and STEM within the department of education.

200-O:2 Definitions. In this chapter:

I. "Computer Science Administrator" refers to the computer science and STEM administrator established in RSA 21-N:13.

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II. "Eligible Industry Recognized Credential" or "IRC" refers to those industry recognized credentials in computer science or related fields that are approved by the computer science administrator to expand computer science education for participation in the below funds.

III. "Full time or equivalent" refers to the amount of time an individual engages in instruction in a New Hampshire education program, which shall be considered full-time or equivalent if it includes instruction of not less than 4 one-credit classes per semester or instruction of no less than 80 students over the course of a semester.

200-O:3 Computer Science Professional Development.

I. The department shall determine, in coordination with the computer science administrator to expand computer science education, industry recognized credentials eligible for reimbursement and the amount of reimbursement. Any such reimbursements shall be based on the successful attainment of an eligible IRC.

II. The department of education shall create an application process, which it shall publish on or before 6 months from the effective date of this act, for New Hampshire certified educators to seek reimbursement for all or a portion of the cost of obtaining an eligible industry recognized credentials in the field of computer science. The process shall include a list of eligible industry recognized credentials and the amount of reimbursement for successful attainment.

200-O:4 Computer Science Educator Credential.

I. The department of education shall adopt through rulemaking pursuant to RSA 541-A, a computer science educator credential that permits individuals holding eligible industry recognized credentials to receive a New Hampshire certified educator credential in the area of computer science. Such individuals shall be qualified to teach in approved New Hampshire education programs.

II. Individuals teaching full time, or the equivalent, in an approved New Hampshire computer science education program shall be eligible for a $5,000 bonus for the first year of teaching, and $2,500 each year for the next 2 years of teaching. Only completed years of teaching shall be eligible and there shall be no proration for partial years.

200-O:5 Experiential Robotics Platform (XRP). As part of the STEM initiative for New Hampshire schools, experiential robotics platform, 5,500 robotics kits shall be made available for all New Hampshire classrooms for grades 6-12. The program shall consist of standards-based curriculum and hands-on resources, designed to facilitate competency-based learning in the classroom.

81 Appropriations; Department of Education; Computer Science Professional Development.

I. There is hereby appropriated to the department of education the sum of $500,000 for the fiscal year ending June 30, 2023 for the purpose of encouraging New Hampshire certified educators to pursue eligible industry recognized credentials in the field of computer science. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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II. There is hereby appropriated to the department of education the sum of $2,741,871 for the fiscal year ending June 30, 2023 for the purpose of encouraging individuals holding an eligible industry recognized credentials to teach computer science or related courses of study in New Hampshire approved education programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. There is hereby appropriated to the department of education the sum of $455,000 for the fiscal year ending June 30, 2023 for the purpose of implementing the experiential robotics platform in all New Hampshire classrooms for grades 6-12 including, but not limited to, the purchase of robotics kits from First New Hampshire Robotics, Experiential Robotics Platform, career and technical education of community college fabrication sites, and professional development delivery and support. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The sum of $303,129 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to be expended in biennium ending June 30, 2025, for the computer science and STEM position established in this act. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

82 Effective Date. Section 81 of this act shall take effect June 30, 2023.

83 Appropriation; Public School Infrastructure Fund. There is hereby appropriated the sum of $10,000,000 from the education trust fund, in the fiscal year ending June 30, 2023, for deposit in the public school infrastructure fund established in RSA 198:15-y. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. This appropriation shall not lapse.

84 Effective Date. Section 83 of this act shall take effect June 30, 2023.

85 Taxation of Incomes; Rate. Amend RSA 77:1 to read as follows:

77:1 Rate.

I. The annual tax upon incomes shall be levied at the rate of 5 percent for all taxable periods ending before December 31, 2023.

II. The annual tax upon incomes shall be levied at the rate of 4 percent for all taxable periods ending on or after December 31, 2023.

III. The annual tax upon incomes shall be levied at the rate of 3 percent for all taxable periods ending on or after December 31, 2024.

~~[IV. The annual tax upon incomes shall be levied at the rate of 2 percent for all taxable periods ending on or after December 31, 2025.~~

~~V. The annual tax upon incomes shall be levied at the rate of 1 percent for all taxable periods ending on or after December 31, 2026.~~]

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86 Returns for Interest and Dividends Taxes; 2027. Amend 2021, 91:100 to read as follows:

91:100 Returns for Interest and Dividends Taxes; [~~2027~~] ***2025***. All persons who are liable for a tax under RSA 77 as of December 31, [~~2026~~] ***2024***, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to permit the audit and collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, [~~2026~~] ***2024***, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

87 Application; Repeal of RSA 77. Amend 2021, 91:101 to read as follows:

91:101 Application; Repeal of RSA 77. Paragraph II of section 99 shall apply to taxable periods beginning after December 31, [~~2026~~] ***2024***.

88 Amend Effective Date; Amend Repeal of Interest and Dividends Tax from 2027 to 2025. Amend 2021, 91:102, II to read as follows:

II. Sections 90-100 of this act shall take affect January 1, [~~2027~~] ***2025***.

89 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after hearing, impose a civil penalty not to exceed $2,500, as determined by the commissioner, for any violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-C, and RSA 282-A. All moneys collected under this section shall be deposited [~~in the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

90 Workers' Compensation; Liability of Employer Failing to Comply. Amend RSA 281-A:7, I(b) to read as follows:

(b) An insurance carrier which insures an employer and fails to file with the commissioner a notice of coverage within a reasonable period of time as prescribed by rule shall be assessed a civil penalty of up to $50 for each day of noncompliance. The commissioner shall deposit all moneys collected under this subparagraph [~~with the state treasurer for deposit into the general fund~~] ***into the department of labor restricted fund established in RSA 273:1-b***.

91 Occupational Health and Safety Administration; Certification. Amend RSA 277:5-a, III to read as follows:

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation and enforcement of this section. The commissioner may also assess a civil penalty of up to $2,500; in addition, such an employer shall be assessed a civil penalty of $100 per employee for each day of noncompliance. All funds collected under this section shall be deposited into the [~~general fund~~] ***department of labor restricted fund established in RSA 273:1-b***. The labor commissioner shall

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appoint as many individuals as necessary to carry out the department's responsibilities under this section.

92 Penalty Appeal Board. Amend RSA 273:11-b to read as follows:

273:11-b Penalty Appeal Board.

I. There is hereby created a penalty appeal board which shall hear appeals from penalties imposed by the commissioner.

II. The board shall be composed of 3 members, as follows:

(a) One person representing the interests of management, to be appointed by the governor and council;

(b) One person representing the interests of labor, to be appointed by the governor and council; and

(c) One person to serve as chairman, who shall be an attorney and who shall be familiar with the labor laws of this state. The chairman shall be [~~chosen and~~] appointed [~~jointly~~] by ***the governor and council*** [~~the other 2 members of the board; provided, however, that, if such members are unable to agree on the appointment of the chairman within 30 days after the later of their appointments, the governor and council shall appoint the chairman~~].

III. At the time of making appointments pursuant to paragraph II, the governor and council [~~or 2 appointing members of the board, as applicable,~~] shall also appoint an alternate member representing the interests of management, an alternate member representing the interests of labor and an alternate chairman, who shall serve whenever the corresponding member of the board is unable, because of a conflict of interest or otherwise, to participate in the determination of a matter before the board.

IV. Members and alternate members shall be appointed for terms of 3 years and shall serve until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms. [~~Members and alternate members shall serve without compensation but shall receive mileage at the same rate paid to state employees.~~]

V. The attorney member of the board shall receive $400 per diem and all other members of the board shall each receive $250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.

93 Family and Medical Leave Insurance. Amend RSA 275:37-d to read as follows:

275:37-d Family and Medical Leave Insurance. If an employer has 50 or more employees and sponsors family and medical leave insurance pursuant to RSA 21-I:99, then any employee of that employer who takes family or medical leave and accesses wage replacement benefits under such family and medical leave insurance coverage shall be restored to the position she or he held prior to such leave or to an equivalent position by her or his employer consistent with the job restoration

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provisions of the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section 2601 et seq. Such employers shall continue to provide health insurance to employees during the leave. However, employees shall remain responsible for any employee-shared costs associated with the health insurance benefits. Such employers shall not discriminate or retaliate against any employee for accessing family or medical leave wage replacement benefits. Employers of employees participating in the granite state paid family leave plan may require that paid leave taken under this program be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or other established employer policy or the Family and Medical Leave Act, as applicable. ***In addition, the commissioner may adopt rules under RSA 541-A to facilitate administration and enforcement of this section.***

94 Boiler and Pressure Vessels; Exceptions. Amend RSA 157-A:6, III(e) to read as follows:

(e) Pressure vessels that do not exceed (1) 5 cubic feet in volume [~~or~~] ***and*** 250 psig, (2) 1 1/2 cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

95 Workers' Compensation; Appeals Board. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. ***Until January 1, 2024,*** the board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers, and 11 members shall be attorneys who shall be neutral. ***On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total.*** Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an

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attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

96 Department of Transportation; Appeals Board. Amend RSA 21-L:14, I to read as follows:

I. There is established an appeals board consisting of 3 members. One member shall be a registered professional engineer, one member shall be a person admitted to the practice of law in this state, and one member shall be a person skilled in the field of public works and construction who shall represent the general public. There shall be 2 alternate board members, who shall meet at least one of the qualification categories set forth for board members. Each board member and alternate board member shall be appointed by the governor with the consent of the council to a term of 3 years, [~~provided that of the initial members appointed under this section one member shall be appointed to a term of one year, one member to a term of 2 years, and one member to a term of 3 years. Vacancies shall be filled in a like manner for the unexpired term~~] ***or until a successor is appointed and qualified, whichever is later.*** The governor shall designate one member to serve as board chairman, and the board shall elect one member to serve as vice-chairman. In the event of illness or disqualification of a member as set forth in RSA 673:14, the chairman shall designate an alternate member to act in his ***or her*** place.

97 Appeals Board; Powers and Duties. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8[~~, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16~~].

98 Repeal. RSA 21-L:16, relative to the railroad appeals board, is repealed.

99 New Paragraph; Weight; Permit Fees. Amend RSA 266:22 by inserting after paragraph V the following new paragraph:

VI. There is hereby established an over-length, over-width, over-height, and over-weight revolving fund from revenue received under this section. All revenue received by the department of transportation for permit fees shall be credited to the fund and are hereby appropriated to the department of transportation. Funds shall be nonlapsing and continually appropriated for the operation and administration of the permit section at the department.

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100 New Subparagraph; Application of Receipts; Over-length, Over-width, Over-height, and Over-weight Revolving Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the over-length, over-width, over-height, and over-weight revolving fund under RSA 266:22.

101 Highway Surveillance Prohibited. Amend RSA 236:130, III(f) to read as follows:

(f) Is undertaken for the security of the following bridges and approach structures: I-95 Piscataqua River Bridge, Sarah Mildred Long Bridge, and the Memorial Bridge, all in Portsmouth, ***as well as the Little Bay Bridges in Dover and Newington.***

102 New Subparagraph; Local Option; Prime Wetlands. Amend RSA 482-A:11, IV by inserting after subparagraph (c) the following new subparagraph:

(d) Department of transportation impacts associated with maintenance projects within the limits of existing rights of way and/or permanent easements shall not be subject to the hearing requirements, nor to provide mitigation, provided the project otherwise adheres to the requirements of RSA 482-A:11, IV(a). The issuance of permits for such projects shall not require prior notification of the conservation commission or local governing body.

103 Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. Amend RSA 228:31-a to read as follows:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of ***RSA 4:39-c and*** RSA 4:40 shall not apply to this section.

104 State Highways; Notice of Finding. Amend RSA 230:55 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes for property acquired by the state in 1945 or earlier, the commissioner shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. Notwithstanding any provision of law to the contrary, the commissioner may discontinue ***any right-of-way, or portion thereof, that was laid out by the state*** and declare property acquired after 1945 as surplus and dispose of it in

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accordance with RSA [~~4:39~~] ***4:39-c***.

105 New Paragraph; New Hampshire Aeronautics Act; Revenue; Fees. Amend RSA 422:31 by inserting after paragraph IX the following new paragraph:

X. A credit card use convenience fee may be charged in addition to the required aircraft operating fee for each transaction, which the department is authorized to use towards the credit card fees incurred.

106 Turnpike System; Toll Criteria. Amend RSA 237:11, V to read as follows:

V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the New Hampshire turnpikes in the system for vehicles listed on a ***funded*** New Hampshire E-Z Pass account and using the regional electronic toll collection system with a ***working and properly mounted*** New Hampshire E-Z Pass transponder shall be 30 percent for passenger vehicles, including motorcycles, and 10 percent for commercial vehicles.

107 Statewide Transportation Improvement Program. Amend RSA 228:99 to read as follows:

228:99 Statewide Transportation Improvement Program (STIP). The governor shall develop a statewide transportation improvement program as required by 23 U.S.C. sections 134 and 135, as amended. The governor shall revise and update the program every 2 years. Adoption of the STIP and revised STIP shall be as follows:

I. Each metropolitan planning organization and rural regional planning commission shall reach agreement with the department of transportation relative to funding unified planning work programs consistent with 23 U.S.C. sections 134 and 135 no later than December 1 of each even-numbered year. Each metropolitan planning organization and rural regional planning commission shall provide a regional transportation improvement program (TIP) ***priorities*** to the department of transportation no later than April 1 of each odd-numbered year. Such plans shall include [~~a~~] public involvement [~~plan~~] and education [~~initiative~~] to ensure early and adequate input from residents, municipalities and any other interested parties in New Hampshire.

II. The commissioner shall submit the tentative STIP in accordance with the state planning process as required in 23 U.S.C. section 135 to the governor's advisory commission on intermodal transportation no later than [~~July~~] ***September*** 1 of each odd-numbered year.

III. The governor's advisory commission on intermodal transportation shall conduct at least one public hearing in each executive council district to present the tentative STIP to the public and to receive the public's comments and recommendations regarding the program. The governor's advisory commission on intermodal transportation shall submit such program along with the commission's recommendations to the governor no later than December 1 of each odd-numbered year. Each metropolitan planning organization and rural regional planning commission should conduct an informational meeting after the commission submits its recommendations to receive the public's final comments and recommendations regarding the proposed programs before adoption by the governor.

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IV. The governor shall submit the STIP to the general court to be acted on no later than January 15 of each even-numbered year. [~~After an enactment~~] ***The STIP shall be enacted*** by the general court [~~of the STIP or~~] by June 1 of each even-numbered year[~~, whichever is earlier, each metropolitan planning organization and rural regional planning commission should continue its public involvement program by conducting at least one informational meeting concerning the STIP~~].

V. Each metropolitan planning organization and the department of transportation shall continue its public involvement program by conducting public comment periods and public hearings as required by 23 U.S.C. sections 134 and 135, as amended for the regional TIP and statewide STIP.

VI. Each metropolitan planning organization shall approve the regional TIP and the department of transportation shall incorporate the TIPs into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

VII. Three times per year, the STIP and TIPs shall be amended to make adjustments to projects whose scopes, schedules or budgets need to be adjusted. The department of transportation will prepare and release STIP/TIP amendments to the metropolitan planning organizations and rural regional planning commissions.

VIII. The metropolitan planning organizations shall have 60 days from the receipt of each amendment to prepare, receive public comments, approve and transmit the updated TIPs to the department of transportation. The department of transportation shall incorporate the TIP amendments into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

108 Unclaimed and Abandoned Property; Subsequent Claims. Amend RSA 471-C:31-a to read as follows:

471-C:31-a Subsequent Claims. For periods after January 1, 1985, any owner who comes forward to make a claim for assets which have escheated to the state ***or counties*** may petition [~~the governor and council~~] for payment of those assets. Upon [~~providing~~] ***receiving*** sufficient proof of the validity of such owner claim [~~and receiving the approval of governor and council~~], the administrator shall pay such claim to the owner in accordance with the provisions of this chapter. ***For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.***

109 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2025.

110 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) The [~~department of environmental services and the~~] department of energy shall submit a report to the house science, technology, and energy committee, and the senate energy and

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natural resources committee by October 1 of each year. The report shall concern the results and effectiveness of the system benefits charge.

111 Disclosure of Electric Service Energy Sources and Environmental Characteristics. Amend RSA 378:49, II(c) to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with billing, whether distributed through the mail or online, or other mailed or online communication to customers, as approved by the [~~commission~~] ***department***, including the [~~commission's~~] ***department's*** estimated cost on a per kilowatt-hour basis for compliance with the electric renewable portfolio standard under RSA 362-F for the prior compliance year. The estimated cost for the compliance year shall be calculated once per year and provided in the customer's December bill, whether distributed through the mail or online. Each customer's bill shall identify the cost as an estimate and provide a link to information about the electric renewable portfolio standard, including its benefits, at the [~~public utilities commission's~~] ***department's*** website. The costs for a utility to provide this information shall be recovered from electric customers through the distribution rates of the respective electric distribution utility.

112 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives ***and offshore wind initiatives, including the office of offshore wind industry development.*** Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

113 Information Collection. Amend RSA 362-F:8, I to read as follows:

I. [~~By July 1~~] ***No earlier than July 1 and no later than July 15*** of each year, each provider of electricity shall submit a report to the department of energy, in a form approved by the

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department of energy, documenting its compliance with the requirements of this chapter for the prior year. The department of energy may investigate compliance and collect any information necessary to verify and audit the information provided to the department of energy by providers of electricity.

114 Phase-In for Existing Supply Contract Load. Amend RSA 362-F:14 to read as follows:

362-F:14 Phase-In for Existing Supply Contract Load. The increases in the annual purchase percentages in RSA 362-F:3 as compared to those in effect as of January 1, 2012 shall apply to the electrical load under any electrical power supply contracts for a term of years entered into by providers of electricity prior to or on July 1, 2012, upon the expiration of the term of any such contract. Providers of electricity shall inform the department of energy ~~[by July 1]~~ ***no earlier than July 1 and no later than July 15*** of each year of all such contracts and their terms, including, but not limited to the execution date and expiration date of the contract and the annual volume of electrical energy supplied.

115 Duties of Commissioner; Department of Energy. Amend RSA 12-P:5, VI to read as follows:

VI. Collect and account for all fees, funds, taxes, or assessments levied upon any person subject to the jurisdiction of the department of energy and the public utilities commission. ***Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the department of energy, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the department of energy, may authorize an additional assessment pursuant to RSA 363-A for such purpose.***

116 Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28, I(d) to read as follows:

(d) ~~[Two]~~ ***Three*** additional staff people appointed by the consumer advocate. When filling these positions, the consumer advocate should consider appointing rate analysts or economists.

117 New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the office of the consumer advocate, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the consumer advocate, may authorize an additional assessment pursuant to RSA 363-A for such purpose.

118 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these

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classes into class 046 consultants and class 233 litigation provided that any such transfers shall be limited to $75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

119 Public Utilities; Assessment. Amend the introductory paragraph of RSA 363-A:2, I to read as follows:

I. The expenses thus ascertained shall be assessed against the public utilities and other entities described in this section in the manner provided in this chapter. The assessment shall be calculated by using the following revenue percentages***, based on the prior calendar year:***

120 Public Utilities; Certification of Assessment. Amend RSA 363-A:3 to read as follows:

363-A:3 Certification of Assessment. It shall be the duty of the department of energy to calculate the amount to be assessed against each such public utility and each other entity subject to assessment in accordance with RSA 363-A:1 and RSA 363-A:2. At the beginning of each fiscal year, the department of energy shall estimate the total expenses for the fiscal year, and then, based on such estimate, shall calculate the amount to be assessed quarterly on [~~August 10, October 15, January 15~~] ***September 15, November 15, February 15***, and April 15 of that fiscal year[~~, against each such public utility and other assessed entity in accordance with RSA 363-A:1 and RSA 363-A:2~~]. ***For entities with assessments less than $10,000, the department may bill those entities the entire amount on September 15 of that fiscal year.*** The department of energy shall then make a list showing the amount [~~due on August 10, October 15, January 15~~] ***assessed September 15, November 15, February 15***, and April 15 of that fiscal year [~~from~~] ***to*** each of the several public utilities and other entities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility and other assessed entity, shall certify the same. After the close of each fiscal year, the department of energy shall ascertain the actual total expenses in accordance with RSA 363-A:1 and RSA 363-A:2, and then shall adjust the assessment for the first [~~quarterly~~] ***or only*** payment of the new fiscal year for each such public utility or other assessed entity for any underpayment or overpayment by each such public utility or other assessed entity for the prior fiscal year.

121 Expenses of Public Utilities Commission; Collections. Amend RSA 363-A:4 to read as follows:

363-A:4 Collection. Upon the completion of each such list, [~~on or before August 10, October 10, January 10, and April 10~~] ***within 10 business days of September 15, November 15, February 15, and April 15*** of each fiscal year, the department of energy shall bill each public utility and each other entity subject to assessment [~~for the quarterly amount assessed against it within 10 working days~~]. Such bill shall be sent [~~registered~~] ***first-class or electronic*** mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the department of energy [~~within 30 days after the receipt of the bill. After the expiration of 30 days from the receipt of an original bill,~~] ***by the due date stated on the bill, which shall be set no sooner than 30 days after the***

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date the bill is sent. If payment is not made by the due date, the department of energy may add to the assessment a late penalty fee and may commence an action at law for the recovery of the assessment. Within 30 days of the ***date that the bill*** assessment for the first [~~quarterly~~] ***or only*** payment ***is sent,*** each public utility or other assessed entity which has any objection to the amount assessed against it for the prior fiscal year shall file with the department its objection in writing, setting out in detail the grounds upon which it is claimed that said assessment is excessive, erroneous, unlawful, or invalid. If such objections are filed, the department, after reasonable notice to the objecting public utility or other assessed entity, shall hold a hearing on such objections, and if the department finds that said assessment or any part thereof is excessive, erroneous, unlawful, or invalid, the department shall reassess the amount to be paid by such public utility or other assessed entity, and shall order that an amended bill be sent to such public utility or other assessed entity in accordance with such reassessment. The department of energy shall not commence an action at law for recovery of any assessment for the first [~~quarterly~~] ***or only*** payment until any such objection has been resolved.

122 Expenses of Public Utilities Commission; Exemption from Assessment. Amend RSA 363-A:5 to read as follows:

363-A:5 Exemption From Assessment. Any public utility or other assessed entity that is not an entity to which RSA 363-A:2, I(c) or (d) applies and that earned less than $10,000 in gross revenue during the preceding [~~fiscal~~] ***calendar*** year shall not be liable for any assessment pursuant to this chapter.

123 Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy Fund. There is hereby appropriated to the department of energy the sum of $250,000 for the fiscal year ending June 30, 2023 to be placed in a regional energy advocacy fund. This fund shall be nonlapsing and continually appropriated to the department to be expended to hire consultants and attorneys and related expenses to support the regional advocacy issues specified in RSA 374-F:8. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

124 Effective Date. Section 123 of this act shall take effect June 30, 2023.

125 Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel. Amend RSA 12-P:4 to read as follows:

12-P:4 Commissioner; Deputy Commissioner; Directors***; General Counsel.***

I. The commissioner of the department of energy shall be appointed by the governor, with the consent of the council, and shall serve for a term of 4 years. The commissioner shall be qualified to hold that position by reason of education and experience. Directors of departmental divisions ***and the general counsel*** shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to

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establish any advisory committees and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

II. The commissioner of energy shall nominate a deputy commissioner of energy for appointment by the governor and council. The deputy commissioner shall hold office for 4 years and until a successor has been appointed and qualified. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as the commissioner may assign. The deputy commissioner shall perform the duties of the commissioner if for any reason the commissioner is unable to do so.

III. Division directors shall be appointed to initial terms as stated below, and then subsequently to terms of 4 years. Terms notwithstanding, each division director shall serve until a successor has been appointed and qualified.

III-a. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commission may authorize.

(a) The commissioner shall nominate for appointment by the governor and council a director of the division of policy and programs for an initial term of one year. All subsequent terms shall be 4 years. The director of the division of policy and programs shall be qualified to hold that position by reason of education and experience.

(b) The commissioner shall nominate for appointment by the governor and council a director of the division of administration for an initial term of 2 years. All subsequent terms shall be 4 years. The director of the division of administration shall be qualified to hold that position by reason of education and experience.

(c) The commissioner shall nominate for appointment by the governor and council a director of the division of enforcement for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of enforcement shall be qualified to hold that position by reason of education and experience.

(d) The commissioner shall nominate for appointment by the governor and council a director of the division of regulatory support for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of regulatory support shall be qualified to hold that position by reason of education and experience.

IV. The salaries of the commissioner, the deputy commissioner, and each division director shall be as specified in RSA 94:1-a.

126 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15 to read as follows:

260:15 Copies of Certificates and Motor Vehicle Records.

I. The department may issue a certified copy of any certificate of registration, or of any license to drive motor vehicles which may have been lost or mutilated, upon the written request of

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the person entitled thereto and the payment of the prescribed fee, and such certified copy shall have the same force and effect as the original.

II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee of [~~$13 for email or other computer-generated requests where payment is debited against an account established with the department, or $15 for all other requests~~] *$17*, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

127 New Paragraph; Motor Vehicles; Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding any law to the contrary, the department may provide driver history records to a federal entity for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14, V.

128 Department of Safety; Appropriation; Position Created. There is hereby established in the department of safety, division of fire safety, one full-time classified program assistant II position. The sum of $72,000 for the fiscal year ending June 30, 2024 and $74,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the division of fire safety. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

129 Department of Safety; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

130 Department of Safety; Transfer Funds and Establish Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of safety may create full-time temporary positions for any positions on military deployment and transfer funds from class 010 into class 059 with approval from the department of administrative services.

131 Department of Safety; Substance Abuse Enforcement Program; Appropriations.

I. The sum of $408,297 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety. This sum shall be expended as follows:

(a) $119,217 shall be expended for the purpose of funding overtime at the state forensic laboratory as a result of increased caseloads attributable to narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

(b) $289,080 shall be expended for the purpose of funding overtime at the state police for narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

II. The sum of $833,684 for the fiscal year ending June 30, 2024 and $833,684 for the fiscal

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year ending June 30, 2025 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. No appropriation made in this section shall lapse until June 30, 2025.

132 Public Safety and Welfare; Definitions; Emergency Medical Care Provider. Amend RSA 153-A:2, V to read as follows:

V. "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols, or New Hampshire fish and game department conservation officers, ***or those individuals administering Naloxone*** unless said individuals are performing invasive patient care procedures.

133 Public Safety and Welfare; Licensure of Emergency Medical Care Providers. Amend RSA 153-A:11, I to read as follows:

I. Except for automated external defibrillation pursuant to RSA 153-A:28-31, ***or the administration of Naloxone,*** a person shall not provide emergency medical services as a paid or volunteer member of a public or private emergency medical services unit in this state, or as a paid or volunteer member of any police or fire department who, as a condition of employment, may be expected to routinely provide emergency medical services in the line of duty, without being licensed by the commissioner.

134 Department of Safety; Appropriation; State and Local Cybersecurity Grant Program. The sum of $1,255,500 for the fiscal year ending June 30, 2024 and the sum of $1,614,215 for the fiscal year ending June 30, 2025 are hereby appropriated to the commissioner of the department of safety for the state and local cybersecurity grant program. Such funds shall be nonlapsing and continually appropriated to the commissioner of the department. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

135 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of $3,510,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 52 state police cruisers. This appropriation shall not lapse until June 30, 2025, provided that any unexpended amount following the purchases shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

136 Effective Date. Section 135 of this act shall take effect June 30, 2023.

137 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The

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education trust fund appropriations to the department of education, in account 06-56-56-560040-3043, class line 652, for education freedom accounts, shall be reduced by $10,000,000 for the fiscal year ending June 30, 2024, and by $10,000,000 for the fiscal year ending June 30, 2025. The department shall report to the fiscal committees of the general court on such reductions.

138 Education Trust Fund. The introductory paragraph of RSA 198:39, I is repealed and reenacted to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than:

(a) To distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42.

(b) To distribute grants to municipalities school districts and to approved chartered public schools pursuant to RSA 194-B:11.

(c) To distribute kindergarten grants to municipalities' and school districts pursuant to RSA 198:48-c.

(d) To provide low and moderate income homeowners property tax relief under RSA 198:56-198:61.

(e) To distribute funds to scholarship organizations approved under RSA 77-G, that administer and implement RSA 194-F.

(f) To distribute phase-out grants to school districts under RSA 194-F:10.

(g) To fund costs necessary to provide the statewide assessment program required under RSA 193-C.

(h) To fund department of education operating costs for a state student data collection and reporting system, within budgeted appropriations.

(i) To fund department of education costs for administering programs funded by the education trust fund, within budgeted appropriations, plus any additional funding authorized pursuant to paragraph III.

(j) To distribute school building aid to school districts pursuant to RSA 198:15-b.

(k) To distribute tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9.

(l) To distribute special education aid to school districts pursuant to RSA 186-C:18.

(m) To distribute payments to education service providers on behalf of school districts for children with disabilities in certain court ordered placements or placements for an episode of treatment pursuant to RSA 186-C:19-b.

(n) To distribute grants for leased space to approved chartered public schools pursuant to RSA 198:15-hh.

II. The state treasurer shall deposit into the education trust fund immediately upon receipt:

(a) Funds certified to the state treasurer by the commissioner of revenue administration

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pursuant to RSA 77-A:20-a, relative to business profits taxes.

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

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

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

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

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

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

(h) Tobacco settlement funds in the amount of $40,000,000 or, for any year in which the total tobacco settlement funds received by the state is less than $40,000,000, the total amount of tobacco settlement funds received by the state.

(i) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4 which were apportioned to school districts in the property tax rate calculations in 1998.

(j) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.

(k) Any other moneys appropriated from the general fund.

III. If required expenditures to administer programs funded by the education trust fund, pursuant to paragraph I, exceed amounts appropriated, the commissioner of education may request the fiscal committee of the general court authorize additional funding. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

IV. The education trust fund shall be nonlapsing. The state treasurer shall invest that part of the fund which is not needed for immediate distribution in short-term interest-bearing investments. The income from these investments shall be returned to the fund.

139 New Paragraph; Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Episode of Treatment. Amend RSA 193:27 by inserting after paragraph VI the following new paragraph:

VII. "Episode of treatment" means when a child needs to be placed by the department of health and human services (DHHS) in a DHHS-contracted and/or certified program to receive more intensive treatment and supports and has the objective of helping children in crisis avoid or reduce the use of psychiatric hospitals or emergency rooms.

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140 Court Ordered Placements; Purpose and Application of Chapter. Amend RSA 169-F:1 to read as follows:

169-F:1 Purpose and Application of Chapter. This chapter shall apply to any court ordered placement ***or placement for an episode of treatment as defined in RSA 193:27, VII,*** of any minor pursuant to RSA 169-B or any child pursuant to RSA 169-C or RSA 169-D, for the purposes of the effective implementation of any such placement.

141 Special Education; State Aid. Amend RSA 186-C:18, III(a) to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements ***and episodes of treatment*** under RSA 186-C:19-b. The state may designate up to $250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional $250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

142 New Paragraph; Special Education; State Aid; Rulemaking by State Board of Education. Amend RSA 186-C:18,V by inserting after subparagraph (f) the following new subparagraph:

(g) Administering and distributing payment for episode of treatment costs as defined in RSA 193:27, VII.

143 Liability for Children with Disabilities in Certain Court Ordered Placements. Amend RSA 186-C:19-b to read as follows:

186-C:19-b Liability for Children With Disabilities in Certain Court Ordered Placements.

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I.(a) As used in this section "children in placement for which the department of health and human services has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, 169-C, or 169-D, except children at the youth development center and children placed at the youth services center maintained by the department of health and human services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

(b) In the case of an out-of-district placement ***or placement for an episode of treatment***, the appropriate court shall notify the department of education on the date that the court order is signed, ***or the need for an episode of treatment is determined***, stating the initial length of time for which such placement is made. This subparagraph shall apply to the original order ***or determination*** and all subsequent modifications of that order ***or determination***.

II. The school district liability for expenses for special education or for special education and related services for a child with a disability in placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.

(a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the department of education. Costs for which the department of education is liable under this section shall be paid to education service providers by the department of education. The department of education shall develop a mechanism for allocating the funds appropriated for the purposes of this section. ***Any costs of special education or special education and related services related to an episode of treatment and the determination of placement by the department of health and human services shall be covered in full for students with disabilities by the department of education.***

(b) The department of health and human services shall be liable for all court-ordered ***and episode of treatment*** costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.

(c) The department of education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall submit education service providers costs to the department within 30 days of receipt of such costs. The department shall then verify the cost and distribute the appropriate amounts to the education service provider.

III. The department of education shall by rules adopted under RSA 541-A establish the rates

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charged by education service providers to the department of education or to school districts for children with disabilities in placement for which the department of health and human services has financial responsibility.

IV. The department of education is authorized to receive and take appropriate action on complaints regarding the failure to provide necessary special education or special education and related services to children with disabilities in placement for which the department of health and human services has financial responsibility.

V. [~~All appropriations made for the purposes of funding court-ordered placements shall be nonlapsing.~~] ***If the total amount required for court ordered placements or placements for an episode of treatment exceeds the amount appropriated to the department for such payments, the governor is authorized to draw a warrant from the education trust fund for such sum to satisfy the state's obligation under this section.***

144 Appropriation; Court Ordered Placements. There is hereby appropriated the sum of $9,200,000 from the education trust fund under RSA 198:39, in the fiscal year ending June 30, 2023, to the department of education for the purpose of paying costs associated with placements for an episode of treatment under RSA 186-C:19-b. This appropriation shall not lapse.

145 Effective Date. Section 144 of this act shall take effect June 30, 2023.

146 Education; Funding for Renovation and Expansion; CTE. Amend RSA 188-E:10 to read as follows:

188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional career and technical education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the construction, renovation, expansion, or replacement of qualified regional career and technical education centers or regional career and technical education programs authorized in the [~~capital~~] budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state [~~capital project~~] authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a [~~capital~~] budget request a priority list of facilities and programs eligible for construction, renovation, expansion, or replacement provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the [~~capital~~] budget procedure [~~pursuant to RSA 9:3-a~~], provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for [~~capital~~]

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appropriation [~~under RSA 9:3-a~~] unless directed by the priority list of the department of education;

(d) Each school district requesting funds from the department of education establishes and funds a construction, renovation, expansion, and replacement reserve fund, which shall be used by the school district to pay construction, renovation, expansion, and replacement costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(4) Allows for matriculation into a postsecondary venue.

(5) Meets all industry and building standards.

(6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, career and technical education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the [~~capital~~] budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A.

147 Department of Education; Appropriation; CTE Renovation Projects; Sugar River Valley Regional Technical Center.

I. Notwithstanding the provisions of RSA 198:39, I, the department of education shall be appropriated $12,514,533 in the fiscal year ending June 30, 2023, from the education trust fund for career and technical education renovation projects. Such funding shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. Any unexpended funds after the completion of the project shall be returned

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to the education trust fund. Such funds shall be expended to renovate the Sugar River Valley Regional Technical Center in Newport.

148 Appropriation. Department of Education; Winnisquam Regional CTE Renovation Project; Contingency for HB 25 Funding.

I. For the fiscal year ending June 30, 2023, the department of education is appropriated $7,649,663 from the education trust fund for the purpose of the Winnisquam regional career and technical education renovation project. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund not otherwise appropriated. The appropriation shall be nonlapsing and any unexpended funds after the completion of the project shall be returned to the education trust fund.

II. If HB 25-A of the 2023 regular session becomes law, the appropriation for the approved Winnisquam regional career and technical education renovation project section 1, paragraph III, of HB 25 shall not take effect, and shall be replaced by the funding in paragraph I of this section. The amount of such appropriation shall be deducted from the total of capital appropriations in section 1 of HB 25 and from the total authorized bonded amount in section 5 of HB 25.

149 Effective Date. Sections 147 and 148 of this act shall take effect June 30, 2023.

150 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, [~~2015~~] ***2023***, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d.

II.(a) A cost of [~~$3,561.27~~] ***$4,100*** per pupil in the ADMR, plus differentiated aid as follows:

(b) An additional [~~$1,780.63~~] ***$2,300*** for each pupil in the ADMR who is eligible for a free or reduced price meal anytime during the determination year; plus

(c) An additional [~~$697.77~~] ***$800*** for each pupil in the ADMR who is an English language learner anytime during the determination year; plus

(d) An additional [~~$1,915.86~~] ***$2,100*** for each pupil in the ADMR who is receiving special education services anytime during the determination year[~~; plus~~

~~(e) An additional $697.77 for each third grade pupil in the ADMR with a score below the proficient level on the reading component of the state assessment administered pursuant to RSA 193-C:6 or the authorized, locally administered assessment as provided in RSA 193-C:3, IV(i), provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d). A school district receiving aid under this subparagraph shall annually provide to the department of education documentation demonstrating that the district has implemented an instructional program to improve non-proficient pupil reading~~].

III. The sum total calculated under paragraph II shall be the cost of an adequate education.

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The department shall determine the cost of an adequate education for each municipality based on the ADMR of pupils who reside in that municipality.

151 Annual Adjustment; Relief Funding. RSA 198:40-d is repealed and reenacted to read as follows:

198:40-d Annual Adjustment. Beginning July 1, 2024 and every year thereafter, the department of education shall adjust the following with an increase of 2 percent annually:

I. Per pupil costs in RSA 198:40-a, II;

II. Extraordinary need grant "grant floor," "grant ceiling," "factor," and "max grant" as defined in RSA 198:40-f, II, (a)-(d); and

III. Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

152 Repeal. RSA 198:40-e, relative to relief funding, is repealed.

153 Extraordinary Need Grants; 2023. Amend RSA 198:40-f to read as follows:

198:40-f Extraordinary Need Grants.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,000,000~~] ***$1,600,000*** or less shall receive [~~$650~~] ***$8,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,000,001~~] ***$1,600,001*** and [~~$5,999,999~~] ***$6,599,999*** shall receive a grant equal to [~~$0.00013~~] ***$0.0017*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,000,000~~] ***$6,600,000***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,000,000~~] ***$6,600,000*** or more shall not receive an extraordinary need grant.

II. ~~[In order to receive an extraordinary need grant, the eligible school district shall provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. The extraordinary need grant plan shall include an accountability component designed to generate data that measures student academic achievement and growth of knowledge and skills in reading and language arts and/or mathematics at what grade levels funds will be used. The school district shall develop and administer its own grant accountability assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning, or use the statewide assessment. The school district shall submit to the department an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets. The primary goal of this grant is to improve student~~

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~~achievement and growth and to help the school district to have funding for successful, best practice student learning approaches.~~] ***In this section:***

(a) The $1,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The $6,600,000 in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

(c) The $0.0017 for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The $8,500 per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

III. Extraordinary need grants shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation per pupil eligible to receive a free or reduced-price meal" means a municipality's equalized valuation[~~, excluding properties subject to taxation under RSA 82 and equalized payments in lieu of taxes,~~] as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMR in the determination year eligible to receive a free or reduced-price meal.

154 Extraordinary Need Grants; 2025. Amend RSA 198:40-f, I and II to read as follows:

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of [~~$1,600,000~~] ***$1,664,640*** or less shall receive [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between [~~$1,600,001~~] ***$1,664,641*** and [~~$6,599,999~~] ***$6,866,639*** shall receive a grant equal to [~~$0.00170~~] ***$0.00221*** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and [~~$6,600,000~~] ***$6,866,640***, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of [~~$6,600,000~~] ***$6,866,640*** or more shall not receive an extraordinary need grant.

II. In this section:

(a) The [~~$1,600,000~~] ***$1,664,640*** in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(a) shall be called the "grant floor."

(b) The [~~$6,600,000~~] ***$6,866,640*** in equalized valuation per free or reduced-price meal pupil referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the "grant ceiling."

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(c) The [~~$0.00060~~] ***$0.00221*** for each dollar difference between equalized valuation per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall be called the "factor."

(d) The [~~$8,500~~] ***$11,500*** per pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(a) shall be called the "max grant."

155 Effective Date. Section 154 shall take effect on July 1, 2025.

156 Determination of Education Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of Education Grants.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; and

(c) [~~[Repealed.]~~

~~(d) Add the municipality's additional aid for relief funding pursuant to RSA 198:40-e.~~

~~(e)~~] Add the municipality's extraordinary need grant pursuant to RSA 198:40-f.

[~~II. For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for each municipality as the lesser of the 2 following calculations:~~

~~(a) The amount calculated in accordance with paragraph I of this section; or~~

~~(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year.~~

~~III.(a) For the biennium ending June 30, 2013, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant in the second year of the previous biennium.~~

~~(b) [Repealed.]~~

~~IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.~~

~~(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed~~

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~~pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.~~

~~(c) For fiscal year 2014 through fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.~~

~~(d) For fiscal year 2024 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMR is zero.~~]

II. For fiscal year 2024 and fiscal year 2025, the department of education shall distribute a hold harmless grant equal to any amount in which a municipality's adequacy grant is less than 104 percent of the fiscal year 2024 preliminary estimate for the adequacy grant as of November 15, 2022. No municipality with a current adequacy grant amount that exceeds the fiscal year 2024 preliminary estimate shall receive a hold harmless grant. No hold harmless grant shall be distributed to any municipality in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education.

III. Beginning in fiscal year 2026, the hold harmless grant calculated under paragraph II shall decrease as a percent of the amount awarded under the following schedule:

(1) 80 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2026 and fiscal year 2027.

(2) 60 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2028 and fiscal year 2029.

(3) 40 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2030 and fiscal year 2031.

(4) 20 percent of the calculated fiscal year 2025 hold harmless grant shall be awarded for fiscal year 2032 and fiscal year 2033.

(5) No hold harmless grant shall be awarded for fiscal year 2034 and each

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year thereafter.

[~~V.~~] *IV.* The department shall use the best available data and methods to estimate ADMR and education grants by November 15 of the year preceding the school year for which aid is determined.

[~~VI.~~] *V.* The department shall produce a revised estimate of grants using actual determination year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] *IV*. The commissioner of the department of education shall provide the estimate for the current fiscal year to the commissioner of the department of revenue administration no later than October 1 of each year.

[~~VII.~~] *VI.* When final determination year data is available, but not later than April 1, the department shall make a final determination of grant amounts. A municipality's grant estimate shall not be less than 95 percent of the estimate reported pursuant to paragraph [~~V~~] *IV*. The department shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount disbursed for the fiscal year shall match the final grant determination.

[~~VIII.~~] *VII.* Reports of grant determinations for municipalities required pursuant to paragraphs [~~V-VII~~] *IV- VI* shall be available to the public by the date specified in paragraphs [~~V-VII~~] *IV- VI*, and the department shall make available a report for multi-town school districts and municipalities with multiple school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

157 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1)(A) to read as follows:

(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of [~~$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and $3,411 to all chartered public schools for the fiscal year ending June 30, 2019~~] ***$4,900 to all chartered public schools for the fiscal year ending June 30, 2024*** and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in the chartered public school's ADMA. Beginning July 1, [~~2017~~] ***2024*** and every [~~biennium~~] ***fiscal year*** thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor~~] ***pursuant to RSA 198:40-d.*** The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition amounts pursuant to RSA 198:40-a, II(a)-(c) and (e), plus

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an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the chartered public school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition amounts pursuant to RSA 198:40-a, II(a) plus an additional grant of $2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant [~~based on the average annual change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed~~] ***pursuant to RSA 198:40-d.***

158 Repeal; Third Grade Reading Accountability. RSA 193-C:3, IV(i), relative to grade 3 statewide education improvement and assessment program data, is repealed.

159 State Maintenance of Equity. Amend 2021, 91:58, III to read as follows:

III. Any state aid distributed under this section shall be an education grant in addition to the state grant calculated under RSA 198:41 ***and RSA 194-B:11*** and shall be distributed to school districts ***and chartered public schools*** accordingly. Depending on how the United States Department of Education allows states to define "pupil" as it relates to determining state aid per pupil under Section 2004(b) of the American Rescue Plan Act of 2021, the department of education may experience delays in accurately collecting pupil data to meet the definition as defined by the United States Department of Education, thereby delaying the calculation of the grant award. If such delay occurs, the department of education may issue the grants described in this section up to 120 days after the end of the applicable fiscal year being assessed for compliance with federal law.

160 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a, II-a(c) to read as follows:

(c) The appropriations budgeted in class 027-transfers to DoIT, class 028-transfers to general services, ***class 040-indirect costs,*** class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, [~~and~~] class 064-retiree pension benefit-health insurance, ***class 210-bond insurance, and class 211-property and casualty insurance,*** shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO.

161 New Paragraph; Budget and Appropriations. Amend RSA 9:16-a, II-a by inserting after subparagraph (d) the following new subparagraph:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation,

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class 064-retiree pension benefit-health insurance, class-210 bond insurance, and class-211 property casualty insurance.

162 Medical and Surgical Benefits. Amend RSA 21-I:30, XV to read as follows:

XV. Funds appropriated for the purposes of this section shall not be transferred or used for any other purpose ***and shall be nonlapsing.***

163 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:

99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall ***review accounts and*** transfer said amounts, ***if needed,*** from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the [~~director of personnel~~] ***commissioner of the department of administrative services,*** subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are [~~deemed necessary to comply with RSA 98~~] ***necessary to pay any legally authorized salaries for employees in the classified system, followed by an annual informational report to the governor and council after fiscal year end.***

164 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall ***review accounts and*** transfer said amount, ***if needed,*** quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, [~~subject to the approval of governor and council,~~] the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit, ***followed by an annual informational report to the governor and council after fiscal year end.*** Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section.

165 Department of Administrative Services; State Budget Office. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

21-I:6 Budget Office. There is hereby established within the office of the commissioner of

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administrative services a state budget office under the supervision of an unclassified budget [~~director~~] ***officer*** who shall:

166 Department of Administrative Services; Planning and Design Costs. Amend RSA 21-I:85 to read as follows:

21-I:85 Planning and Design Costs. [~~The division of public works design and construction shall not perform any design and planning work for any non-general fund state agency unless the division is reimbursed for such work by the agency.~~] ***The department of administrative services shall bill state agencies for any design, planning, project management, and/or inspection work for all capital construction projects administered through the department, and for any operating projects that are funded in full or in part with federal funds, agency income, or funding sources other than general funds.***

167 Appropriation; Department of Administrative Services; Technology Upgrades. There is hereby appropriated to the department of administrative services the sum of $7,800,000 for the fiscal year ending June 30, 2023, for the purpose of technology upgrades to ensure the sustainability of the state's financial, payroll and budgeting system. The sum appropriated shall be nonlapsing, provided that any unexpended amount following completion of the project shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

168 Effective Date. Section 167 of this act shall take effect June 30, 2023.

169 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph III the following new paragraph:

III-a. The commission shall elect a chairperson, vice-chairperson, and a recorder.

170 State Commission on Aging. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms, ***with the exception of the chairperson, vice-chairperson, and recorder, who may service an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated.*** Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. [~~Thirteen~~] ***A majority of the*** members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

171 State Commission on Aging. Amend RSA 19-P:1, V to read as follows:

V. The commission shall be authorized to select and hire select an executive director by a

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vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. [~~The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated.~~] The commission shall hold no fewer than 9 regular meetings per year.

172 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph V the following new paragraph:

VI. The commission on aging shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

173 New Paragraph; Duties of the State Commission on Aging. Amend RSA 19-P:2 by inserting after paragraph XIV the following new paragraph:

XV. Accepting and utilizing for its purposes, functions, and duties as set forth in this chapter public and private grants, gifts, donations, and contributions of money and other assets and properties, real and personal, of all types and kinds, without limitations.

174 Corrections Officers' Salaries.

I. Effective July 14, 2023, part-time corrections officers and corrections officer corporals shall be compensated in accordance with the salary schedule applicable to full-time corrections officers and corrections officer corporals.

II. Effective July 14, 2023, corrections officer majors shall be compensated in accordance with the salary schedule applicable to corrections officer lieutenants, sergeants, and captains.

175 Parking; Concord. The department of administrative services is authorized to spend such funding as appropriated for additional parking for full-time and part-time employees who are assigned to the downtown Concord area and who are not provided a state-provided parking space for their personal vehicle.

176 Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	62,406	66,467	70,557	74,618	78,679	82,740	86,830
BB	64,894	69,127	73,359	77,592	81,825	86,058	90,291
CC	67,897	72,330	76,763	81,196	85,629	90,062	94,495
DD	71,500	76,162	80,824	85,514	90,176	94,838	99,500
EE	75,705	80,652	85,629	90,577	95,524	100,472	105,449
FF	80,938	86,258	91,549	96,869	102,160	107,451	112,770
GG	87,373	93,093	98,842	104,562	110,282	116,031	121,751
HH	95,153	101,387	107,622	113,886	120,120	126,384	132,619
II	100,587	107,193	113,800	120,406	127,042	133,648	140,255

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JJ	106,049	112,999	119,977	126,956	133,934	140,913	147,891
KK	108,738	115,888	123,066	130,216	137,366	144,516	151,666
LL	0	0	0	0	0	0	156,500
MM	0	0	0	0	0	0	161,791
NN	0	0	0	0	0	0	167,997
OO	0	0	0	0	0	0	175,233
PP	0	0	0	0	0	0	183,927
QQ	0	0	0	0	0	0	194,366

177 Salary Wages for Councilors and Commissioners; July 14, 2023. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows, commencing July 14, 2023:

	Maximum
Governor's councilors	$19,734
Racing and charitable gaming commissioners	$15,301
Sweepstakes commission, chairman	$22,251
Sweepstakes commission, members	$12,527

178 Compensation for Certain State Officers, Unclassified State Employees; July 12, 2024. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	63,655	67,797	71,969	76,111	80,253	84,395	88,567
BB	66,192	70,510	74,827	79,144	83,462	87,780	92,097
CC	69,255	73,777	78,299	82,820	87,342	91,864	96,385
DD	72,930	77,686	82,441	87,225	91,980	96,735	101,490
EE	77,220	82,266	87,342	92,389	97,435	102,482	107,558
FF	82,557	87,984	93,380	98,807	104,204	109,601	115,026
GG	89,121	94,955	100,819	106,654	112,488	118,352	124,187
HH	97,057	103,415	109,775	116,164	122,523	128,912	135,272
II	102,599	109,337	116,076	122,815	129,583	136,321	143,061
JJ	108,170	115,259	122,377	129,496	136,613	143,732	150,849
KK	110,913	118,206	125,528	132,821	140,114	147,407	154,700
LL	0	0	0	0	0	0	159,630
MM	0	0	0	0	0	0	165,027
NN	0	0	0	0	0	0	171,357
OO	0	0	0	0	0	0	178,738
PP	0	0	0	0	0	0	187,606

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QQ	0	0	0	0	0	0	198,254

179 Salary Wages for Councilors and Commissioners; July 12, 2024. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 12, 2024:

	Maximum
Governor's councilors	$20,129
Racing and charitable gaming commissioners	$15,608
Sweepstakes commission, chairman	$22,697
Sweepstakes commission, members	$12,778

180 Department of Justice; Attorney Salaries; July 14, 2023. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on July 14, 2023:

	Minimum	Market anchor	Maximum
	$60,778		$140,802
Attorney		$73,264	
Assistant attorney general		$99,796	
Senior assistant attorney general		$123,208	
Associate attorney general		$135,695	

181 Legislative Employees; July 14, 2023. Legislative employees shall receive 10 percent salary increases effective July 14, 2023, if such increases are approved by the appointing authority.

182 Legislative Employees; July 12, 2024. Legislative employees shall receive 2 percent salary increases effective July 12, 2024 if such increases are approved by the appointing authority.

183 Judicial Salaries; July 14, 2023. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$204,076
Associate justices, supreme court	$197,937
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$197,937
Associate justices, superior court	$185,638
District court justices prohibited from practice pursuant to RSA 502-A:21	$185,638
Probate judges prohibited from practice pursuant to RSA 547:2-a	$185,368

184 Judicial Salaries; July 12, 2024. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

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Chief justice, supreme court	$208,157
Associate justices, supreme court	$201,895
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$201,895
Associate justices, superior court	$189,350
District court justices prohibited from practice pursuant to RSA 502-A:21	$189,350
Probate judges prohibited from practice pursuant to RSA 547:2-a	$189,350

185 Judicial Employees; July 14, 2023. All unrepresented judicial employees shall receive 10 percent salary increases effective July 14, 2023.

186 Judicial Employees; July 12, 2024. All unrepresented judicial employees shall receive 2 percent salary increases effective July 12, 2024.

187 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 10 percent salary increases effective July 14, 2023.

188 Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 2 percent salary increases effective July 12, 2024.

189 Appropriations.

I. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2024:

FY 2024

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$101,554,000	$44,900,000	$3,394,000	$16,702,000	$9,262,000	$1,826,000	$875,000	$24,595,000

II. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2025:

FY 2025

All	General	Liquor	Federal	Highway	Turnpike	Fish and Game	Other
$123,896,000	$54,778,000	$4,140,000	$20,377,000	$11,300,000	$2,228,000	$1,067,000	$30,006,000

III. The department of administrative services is authorized to make any rounding adjustments of up to +$.01 per hour as needed to properly process the employee's payroll within the currently designed human resources/payroll system (NH FIRST).

IV. The governor is authorized to draw a warrant to the general fund portion of said sums out of any money in the treasury not otherwise appropriated.

190 Effective Date.

I. Sections 176, 177, 180, and 183 of this act shall take effect July 14, 2023.

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II. Sections 178, 179, and 184 of this act shall take effect July 12, 2024.

191 Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read as follows:

77-A:20-a Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of 1.5 percent in the rate of~~] ***the*** tax imposed by RSA 77-A:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

192 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to read as follows:

77-E:14 Distribution of Funds.

I. The commissioner shall determine [~~the additional amounts of~~] ***41 percent of the*** revenue produced by [~~an increase of .50 percent in the rate of~~] ***the*** tax imposed by RSA 77-E:2 for each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [~~additional revenues~~] ***revenue*** that will be produced [~~by the increase in tax rate~~] for the next fiscal year and shall certify such amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

193 Department of Health and Human Services, Division of Public Health Services, Choose Love Program. There is hereby appropriated to department of health and human services, division of public health services the sums of $250,000 for the fiscal year ending June 30, 2024, and $250,000 for the fiscal year ending June 30, 2025, for the purpose of operating the choose love program and funding 2 classified positions as determined by the director of public health services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

194 New Paragraph; Department of Health and Human Services; Authorization to Fill Unfunded Positions. Amend RSA 126-A:4 by inserting after paragraph VI the following new paragraph:

VII. The department of health and human services shall have the authority to fill unfunded positions, provided that the total expenditure for such positions shall not exceed the amount

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appropriated to the department for personal services.

195 Department of Health and Human Services; Foster Grandparent Program. The sum of $200,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196 Congregate Housing; Appropriation. The sum of $1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196-a Effective Date. Sections 195 and 196 shall take effect June 30, 2023.

197 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2025, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis, provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.

198 Prospective Repeal; Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as amended by 2019, 346:61, I, as amended by 2021, 91:404 to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2023~~] ***2025***.

199 Graduate Medical Education Payments Suspended. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2025. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2025.

200 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2025.

201 Medicaid to Schools Program; Fiscal Committee Approval of Supplemental Funding. For

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the biennium ending June 30, 2025, in the event funds appropriated in accounting unit 05-95-47-0010-7207 Medicaid to schools, are insufficient, the department of health and human services may accept and expend additional federal funds with the prior approval of the fiscal committee of the general court. Any request to the fiscal committee shall include a detailed explanation of the types of assistance the department is providing to school districts to ensure eligibility for reimbursement under the Medicaid to schools program.

202 Department of Health and Human Services; Division of Medicaid Services. Any funds appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending June 30, 2023 shall not lapse until June 30, 2025, and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

202-a Effective Date. Section 202 of this act shall take effect June 30, 2023.

203 Department of Health and Human Services; Preventative Health Care Benefits; Medicaid Program. The commissioner of the department of health and human services shall, if necessary, submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and provide preventative health care benefits under the state Medicaid program, including but not limited to nicotine cessation, transitional care management, chronic care management, diabetes prevention program, and screening, brief intervention, and referral to treatment (SBIRT) services. In addition, the commissioner may adopt rules under RSA 541-A, relative to the preventative healthcare benefits described in this section.

204 Department of Health and Human Services; Transfer Between Certain Classes. Notwithstanding any other provision of law, the department of health and human services is hereby authorized to transfer funds between classes 072, 074, 102, and 103, and create new class lines for classes 072, 074, 102, and 103, in order to comply with federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

205 Health Facility Licensing; Inspection. Amend RSA 151:6, II to read as follows:

II. The department of health and human services may require by rule that any licensee or prospective applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the [~~department of health and human services~~] ***department of safety, division of fire safety*** for preliminary inspection and approval or recommendations.

206 Repeal. RSA 151:53, relative to the workplace violence prevention program, is repealed.

207 New Chapter; Health Care Workplace Violence Prevention Program. Amend RSA by inserting after chapter 277-B the following new chapter:

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CHAPTER 277-C

HEALTH CARE WORKPLACE VIOLENCE PREVENTION PROGRAM

277-C:1 Definitions. In this chapter:

I. "Health facility" means an acute care, rehabilitation, psychiatric, or substance abuse treatment hospital, or an urgent care center licensed under RSA 151; provided that a facility with more than one physical location shall be considered a single health facility; and provided that "health facility" shall not include state-operated medical facilities, and voluntary compliance by a state-operated facility shall not subject such facility to the requirements of this section. The term "health facility" shall not include any non-hospital affiliated urgent care with less than 3 clinics in New Hampshire.

II. "Workplace violence" means any act or threat of physical violence, harassment, intimidation, or other threatening behavior.

III. "Hostile words" means aggressive and belligerent verbal abuse in which the recipient reasonably believes that the speaker intends to injure or create excessive stress, or in which the recipient suffers actual psychological trauma.

277-C:2 Health Care Workplace Violence Prevention Program.

I. Except as provided in paragraph II, health facilities shall implement and maintain a workplace violence prevention program. Said program shall consider the size and complexity of the health facility and shall address the following topics, and others deemed appropriate by the health facility, the goal of which is to encourage participation and address prevention, recognition, response, and reporting of workplace violence:

(a) Policies and procedures to prevent and respond to workplace violence and hostile words.

(b) Appropriate training, education, and resources to employees based on their roles and responsibilities. Said training, education, and resources shall include:

(1) Education on what constitutes workplace violence and hostile words.

(2) Education on the roles and responsibilities of leadership, clinical staff, security personnel, if applicable, and external law enforcement.

(3) Training in de-escalation, nonphysical intervention skills, response to emergency incidents, and at the discretion of the health facility, physical intervention techniques.

(4) The reporting process for workplace violence and hostile words incidents.

(c) A process to report workplace violence and hostile words incidents internally and externally in order to analyze incidents and trends.

(d) A process for follow-up and to support victims and witnesses affected by workplace violence or hostile words, including information about available counseling.

(e) A process to conduct an annual facility-specific risk assessment, which shall:

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(1) Examine all existing and potential workplace violence and hostile words risks, including environmental and patient-specific risk factors, the health facility's workplace violence and hostile words incidents, and how the program's policies and procedures, training, education, and environmental design reflect best practices and conform to applicable laws and regulations; and

(2) Be used to develop recommendations to reduce the risk of workplace violence and hostile words.

II. A health facility accredited by the Joint Commission on the accreditation of healthcare organizations may give proof of compliance with Joint Commission standards on workplace violence prevention to the health care workplace safety commission established in RSA 151-J, in lieu of paragraph I.

III. The commissioner of the department of labor shall monitor participation in the workplace violence prevention program so that participation status is proactively known and that this status is properly reported in the annual report described in RSA 151-J:7.

IV. Each health facility shall prepare and submit to the health care workplace safety commission established in RSA 151-J an annual report containing all workplace violence and hostile words incidents reported to the health facility directed at an employee by a patient, coworker, supervisor, manager, or other individuals who have a personal relationship with a patient. The chair of the health and human services oversight committee, established in RSA 126-A:13, with the advice of the health care workplace safety commission, may recommend updates to New Hampshire statutes or recommend updates to the rules adopted for the implementation of this section. The commissioner of the department of labor, in consultation with the health care workplace safety commission and the health and human services oversight committee, shall adopt rules pursuant to RSA 541-A deemed necessary for the implementation of this section, including a common reporting form.

V.(a) The annual report required under paragraph IV shall include but not be limited to, for each workplace violence or hostile words incident, a description of:

(1) The incident, including environmental and patient-specific risk factors present at the time of the incident, as well as the appropriate categorization of the incident as workplace violence and/or hostile words.

(2) The date, time, and location of the incident.

(3) The nature and extent of injuries to employees.

(4) A classification, but not any identifiable personal information, of each perpetrator who committed the violence, including whether the perpetrator was:

(A) A patient;

(B) An individual who has or is known to have had a personal relationship with a patient;

(C) A coworker, supervisor; or manager; or

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(D) Any other appropriate classification.

(5) How the incident was abated, including any incident response and post-incident investigation.

(6) If the incident involves a patient, the patient's name or other similar identifier shall not be included in the report, provided that the report may include the patient's diagnosis code and whether or not behavioral health or disability were a factor.

(7) The percentage of employees that have participated in the workplace violence prevention program in the reporting year immediately preceding the incident. This percentage shall be an annual point in time percentage and is not intended to be a rolling number calculated upon each incident.

(b) The report shall preserve the reporting distinction between workplace violence and hostile words incidents. There shall not be any identifiable personal information included in any report unless contained within an attached police report or other official report of a governmental entity. No person or health care facility shall retaliate in any manner against any reporting individual acting in good faith, or otherwise discriminate against, a person, employee, or subordinate who exercises any rights under this section or rules adopted pursuant to this section, or by any policy or procedure promulgated under this section or RSA 151-J, including but not limited to reporting of a workplace violence or hostile words incident or otherwise providing notice to the health facility regarding the occupational health and safety of the employee or their fellow employees exposed to workplace violence or hostile words risk factors. Nothing in this section shall be construed to authorize an employee to refuse to discharge his or her ordinary and customary duties in the workplace.

(c) The confidentiality provisions contained within RSA 151-J:5 shall apply to records collected pursuant to this chapter.

VI. The commissioner of the department of labor shall be responsible for maintaining, in an easily navigable, searchable, distinct page on the department's website, a database to share information on the activities of the New Hampshire health care workplace safety commission. Topics included on the page shall include, but not be limited to:

(a) A listing of all health care facilities by name, with their business address included, which are subject to the provisions of the workplace violence prevention program.

(b) The participation status of each facility as active, inactive, or unknown.

(c) The dates of each meeting of the New Hampshire health care workplace safety commission.

(d) Annually, a press release shall be issued within 60 days of the end of the calendar year, highlighting the active participation of health care facilities and any major findings or recommendations.

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VII. Notwithstanding the requirements of this chapter, a health facility that is an urgent care center shall not be required to comply with this chapter before July 1, 2024.

208 Duties; Health Care Workplace Safety Commission. Amend RSA 151-J:2, I(c) to read as follows:

(c) Propose changes to the health and human services oversight committee, established in RSA 126-A:13, ***the commissioner of the department of labor,*** and [~~to~~] the commissioner of the department of health and human services that will improve the safety of the health care workplace.

209 Confidentiality; Health Care Workplace Safety Commission. Amend RSA 151-J:5, I to read as follows:

I. All information, other than police reports, submitted to or collected by the commission, including, but not limited to, written, oral, and electronic information; records and proceedings of the commission, including, but not limited to, oral testimony and discussions, notes, minutes, summaries, analyses, and reports; and information disseminated by the commission or its members to hospitals and urgent care centers shall be confidential and privileged***, shall be exempt from RSA 91-A,*** and shall be protected from direct or indirect means of discovery, subpoena, or admission into evidence in any judicial, administrative, or other type of proceeding. The provision of information to the commission and the dissemination of information by the commission shall not be deemed to void, waive, or impair in any manner the confidentiality protection of this section or which the information may have under any other law or regulation.

210 Administration; Health Care Workplace Safety Commission. Amend RSA 151-J:6 to read as follows:

151-J:6 Administration. The commission may delegate to the department of [~~health and human services~~] ***labor*** the functions of collecting, analyzing, and disseminating workplace violence information, organizing and convening meetings of the commission, and other substantive and administrative tasks as may be incident to these activities or directed by the commission. The activities of the department of [~~health and human services~~] ***labor*** and its employees or agents shall be subject to the same confidentiality provisions and data privacy as those that apply to the commission.

211 Rulemaking; Health Care Workplace Safety Commission. Amend RSA 151-J:8 to read as follows:

151-J:8 Rulemaking. The commissioner of the department of [~~health and human services~~] ***labor***, with the advice of members of the commission, shall adopt rules pursuant to RSA 541-A, to assure de-identification of all individuals and facilities involved in the incidents received.

212 Appropriation; New Hampshire Health Care Workplace Safety Commission. The sum of $100,000 for the fiscal year ending June 30, 2024, and $100,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of labor for the purpose of establishing and hiring one program specialist IV position at labor grade 25 within the department of labor, office of

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administration, to implement the department's responsibilities relative to the New Hampshire health care workplace safety commission established in RSA 151-J. Such appropriations shall be funded 10 percent as a charge against the restricted fund established pursuant to RSA 273:1-b and 90 percent as a charge against the workers' compensation administration fund established under RSA 281-A:59.

213 Prospective Repeal; 2034. RSA 277-C, relative to the health care workplace violence prevention program, is repealed.

214 Effective Date. Section 213 of this act shall take effect March 1, 2034.

215 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV, as amended by 2019, 346:64 and 2021, 91:27 to read as follows:

IV. Section 10 of this act shall take effect June 30, [~~2023~~] *2025*.

216 Effective Date. Section 215 of this act shall take effect June 30, 2023.

217 Department of Health and Human Services; Unclassified Positions Established.

I. The following unclassified positions are established in the department of health and human services:

(a) Medicaid pharmacy director.

(b) Pharmaceutical service specialist.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner: #30278; #12433.

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

218 Department of Health and Human Services; Unclassified Positions Established; Appropriation.

I. The following unclassified positions are established in the department of health and human services:

(a) Twenty four staff attorney positions.

(b) Five supervisory staff attorney positions.

(c) Three supervising attorney positions.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter

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appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner:

(a) Attorney II:

#11677	#15803	#16212	#16248	#19145
#40083	#40084	#40085	#40086	#40087
#40088	#40089	#40090	#40091	#40092
#40093	#40095	#40096	#40396	#43485
#44216	#44217	#44355	#44380	#44539
#44560	#44561	#TMPPT5726	#TMPPT5779	

(b) Attorney III:

#15402	#19766	#44562

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the newly established unclassified positions.

V. There is hereby appropriated to the department of health and human services the sums of $141,000 for the fiscal year ending June 30, 2024, and $140,000 for the fiscal year ending June 30, 2025, for the purpose of compensating the newly established unclassified positions in this section. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

219 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2022-2023~~] ***2024-2025***:

(1) State fiscal year [~~2022~~] ***2024***, [~~$129,362,411~~] ***$131,849,659***

(2) State fiscal year [~~2023~~] ***2025***, [~~$131,849,659~~] ***$131,849,659***;

220 Appropriation; Department of Health and Human Services; Choices for Independence. The sums of $4,750,000 in the fiscal year 2024 and $10,350,000 in the fiscal year 2025 are hereby appropriated to the department of health and human services for the purpose of funding Choices for Independence, a Medicaid-funded program that provides a wide range of service choices that enable eligible adults to stay in their own homes and communities. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

221 Appropriation; Department of Health and Human Services; Medicaid Management Information System. The sum of $20,531,625 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of funding the Medicaid management information system. Said sum shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal

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committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

222 Effective Date. Section 221 of this act shall take effect June 30, 2023.

223 Appropriation; Department of Health and Human Services; Medicaid Unwind. In the event that expenditures from 05-95-47-470010-7948 or 05-95-47-470010-7051 are greater than the amounts appropriated, due to the Medicaid unwinding process and continuous eligibility requirements, the commissioner may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

224 Appropriation; Department of Health and Human Services; Moving One District Office. There is hereby appropriated the sum of $533,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of moving one district office. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

225 Effective Date. Section 224 of this act shall take effect June 30, 2023.

226 Appropriation; Department of Health and Human Services; Vehicles and Equipment at New Hampshire Hospital. There is hereby appropriated the sum of $200,000 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing vehicles and clinical equipment at New Hampshire hospital. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

227 Effective Date. Section 226 of this act shall take effect June 30, 2023.

228 Appropriation; Department of Health and Human Services; IT Consultants; Analysis. The sum of $1,500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to manage projects and perform analysis to support IT building automated solutions to streamline business processes. The department of health and human services may accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

229 Effective Date. Section 228 of this act shall take effect June 30, 2023.

230 Appropriation; Department of Health and Human Services; IT Consultants; Automated Solutions. The sum of $1,950,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to develop and implement automated solutions to streamline

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business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

231 Effective Date. Section 230 of this act shall take effect June 30, 2023.

232 Appropriation; Department of Health and Human Services; Food Stamp Eligibility. There is hereby appropriated the sum of $125,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services, for the purpose of replacing a legacy database used for pulling quality samples for food stamp eligibility reviews. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

233 Effective Date. Section 232 of this act shall take effect June 30, 2023.

234 Appropriation; Department of Health and Human Services; DHHS Offices. There is hereby appropriated the sum of $410,100 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing aging switches, routers, and wireless access point at DHHS offices. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

234-a Effective Date. Section 234 of this act shall take effect June 30, 2023.

235 Appropriation; Department of Health and Human Services; Temporary Assistance For Needy Families; Maintenance of Effort. There is hereby appropriated to the department of health and human services the sums of $3,000,000 for the fiscal year ending June 30, 2024, and $3,000,000 for the fiscal year ending June 30, 2025, to ensure maintenance of effort funding is sufficient to meet the federal temporary assistance for needy families maintenance of effort levels. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

236 Appropriation; Department of Health and Human Services; Nutrition and Transportation Services. There is hereby appropriated to the department of health and human services the sums of $3,404,991 for the fiscal year ending June 30, 2024, and $3,404,991 for the fiscal year ending June 30, 2025, for the purpose of funding Title XX service rates for nutrition and transportation service rates. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

237 Appropriation; Department of Health and Human Services; Foster Care Rates. There is hereby appropriated to the department of health and human services the sums of $870,481 for the fiscal year ending June 30, 2024, and $957,529 for the fiscal year ending June 30, 2025, for the purpose of increasing foster care rates. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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238 Appropriation; Department of Health and Human Services; Medicaid Provider Rate Increases. There is hereby appropriated to the department of health and human services the sums of $12,000,000 for the fiscal year ending June 30, 2024, and $12,000,000 for the fiscal year ending June 30, 2025, for the purpose of increasing Medicaid provider rates, excluding rates for hospital inpatient and hospital outpatient services. The department shall utilize such funds to increase rates pursuant to section 1902 (a)(30)(A) of the Social Security Act, to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department may accept and expend any federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

239 Appropriation; Department of Health and Human Services; Targeted Medicaid Rate Increases. In addition to any other sums appropriated, there is hereby appropriated to the department of health and human services the following amounts for the purpose of increasing rates paid to service providers. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said rate increases shall go into effect no later than January 1, 2024. If feasible, the department shall implement any of the rate increases prior to that date, with priority given to those the commissioner has deemed most critical. For all appropriations below, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. For each appropriation, the department shall report to the fiscal committee of the general court, by October 1, 2023, the accounting units in the state operating budget to which funds will be or have been allocated, along with the rate increases that will be provided from the funds appropriated:

I. $4,677,979 in the fiscal year ending June 30, 2024 and $9,355,958 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to nursing homes.

II. $2,154,309 in the fiscal year ending June 30, 2024 and $4,308,618 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for all Choices for Independence providers not provided rate increases elsewhere in this section.

III. $708,678 in the fiscal year ending June 30, 2024 and $1,417,355 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to assisted living facilities.

IV. $483,000 in the fiscal year ending June 30, 2024 and $966,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to home health aides.

V. $70,691 in the fiscal year ending June 30, 2024 and $141,382 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for home delivered meals paid to Meals on Wheels providers.

VI. $736,954 in the fiscal year ending June 30, 2024 and $1,473,908 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for private duty nursing providers.

VII. $169,658 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending

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June 30, 2025 for the purpose of increasing rates paid for section 1915(c) waiver case management services.

VIII. $3,969,301 in the fiscal year ending June 30, 2024 and $7,938,602 in the fiscal year ending June 30, 2025 for the purpose of increasing rates and/or wages paid to providers of community mental health services.

IX. $623,848 in the fiscal year ending June 30, 2024 and $1,247,697 in the fiscal year ending June 30, 2025 for the purpose of increasing housing reimbursement rates for those receiving community mental health services.

X. $3,000,000 in the fiscal year ending June 30, 2024 and $6,000,000 in the fiscal year ending June 30, 2025 for the purpose of rebasing rates for community health centers to ensure that Medicaid rates are sufficient to cover the cost of service provision.

XI. $1,133,707 in the fiscal year ending June 30, 2024 and $2,267,415 in the fiscal year ending June 30, 2025 for the purpose of bringing Medicaid rates for community health centers up to the levels of Medicare reimbursement.

XII. $8,221,367 in the fiscal year ending June 30, 2024 and $16,442,733 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of early supports and services, developmental services, acquired brain disorder services, and children's in-home support services.

XIII. $1,374,940 in the fiscal year ending June 30, 2024 and $2,749,881 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population.

XIV. $113,106 in the fiscal year ending June 30, 2024 and $226,211 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to residential treatment providers serving those experiencing substance use disorders.

XV. $169,858 in the fiscal year ending June 30, 2024 and $339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of medication assisted treatment for those experiencing substance use disorders.

XVI. $255,371 in the fiscal year ending June 30, 2024 and $510,743 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of outpatient services for those experiencing substance use disorders.

XVII. $50,000 in the fiscal year ending June 30, 2024 and $100,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to midwives providing Medicaid births in nonhospital environments.

XVIII. $125,000 in the fiscal year ending June 30, 2024 and $250,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to birthing centers.

XIX. $1,944,003 in the fiscal year ending June 30, 2024 and $3,888,007 in the fiscal year

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ending June 30, 2025 for the purpose of increasing rates paid for providers of ambulance/EMT services. Notwithstanding any other provisions, the rates for the following ambulance codes shall be as follows:

Ambulance Codes	Rate
A0425	13.00
A0427	700
A0428	325
A0429	450

If the department determines that the appropriations contained in this paragraph are insufficient to set rates at the specified levels, it may delay implementation until such time as the rate increases can be provided.

XX. $1,500,000 in the fiscal year ending June 30, 2024 and $3,000,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant services.

XXI. $15,740,786 for the biennium ending June 30, 2025 for the purpose of increasing any of the rates in this section prior to January 1, 2024, if feasible, where the department has given priority to those increases the commissioner has deemed most critical. Any portion of this appropriation not expended by January 1, 2024 may be used for rate increases authorized elsewhere in this section and section 238 of this act.

240 Department of Health and Human Services; Medicaid Rate Increases. The department shall utilize the funds appropriated in sections 238 and 239 of this act to increase rates pursuant to section 1902(a)(30)(A) of the Social Security Act, and to promote efficiency, economy, and quality of care within New Hampshire's Medicaid program. The department shall have the authority to make adjustments to sections 238 and 239 of this act in order to address:

(a) During implementation, that the percentage of RSA 126-AA funds shall be a proportional credit to the amount implemented;

(b) Impacts to established contracts;

(c) Changes that result in reductions to federal match levels;

(d) Cost-based rate methodologies that cannot accommodate a percentage-based increase as defined under the Medicaid state plan;

(e) Prohibitions regarding the use of general funds;

(f) Parity among rates, including non-Medicaid rates;

(g) Rates paid to out-of-state providers; and

(h) Any rate methodology actively under review and development.

II. Amounts available for the purposes of sections 238 and 239 of this act may be increased by the amounts of any funds unable to be implemented in this section as a result of a technical assistance finding by the Centers for Medicare and Medicaid Services that a proposed state plan

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amendment or waiver must be modified in order to be approved.

III. Notwithstanding any other provision of law, rate parity among the same or similar services within existing waiver services shall be a priority.

241 Department of Health and Human Services; Adult Medical Day Services. The department of health and human services shall reimburse all adult medical day services at the same payment rate irrespective of whether the service is covered under the Choices for Independence waiver or the Medicaid state plan.

242 Repeals; Department of Business and Economic Affairs. The following are hereby repealed:

I. RSA 12-O:46 through 12-O:50, relative to the New Hampshire college graduate retention incentive partnership (NH GRIP).

II. RSA 12-O:64, relative to the COVID-19 micro enterprise relief fund.

III. RSA 6:12,I(b)(365), relative to the COVID-19 micro enterprise relief fund.

IV. RSA 12-O:19, relative to the package plan program.

243 Department of Business and Economic Affairs; Bureaus. Amend RSA 12-O:2, I to read as follows:

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of but not limited to a division of economic development [~~which shall include but not be limited to a bureau of workforce development~~] and a division of travel and tourism [~~development which shall include but not be limited to a bureau of visitor service~~]. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

244 Workforce Development. Amend RSA 12-O:42 to read as follows:

12-O:42 Workforce Development. The commissioner of business and economic affairs shall work with the [~~workforce development~~] director ***of the office of workforce opportunity*** to plan, develop, and administer workforce investment activities, programs, and grants under the federal ***Workforce Innovation and Opportunity Act of 2014*** [~~Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq.~~], as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the State Workforce Innovation Board established under RSA 12-O:44. The commissioner shall coordinate with the State Workforce Innovation Board to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

245 Workforce Development Director. Amend RSA 12-O:43 to read as follows:

12-O:43 Workforce Development Director. There is established within the [~~bureau~~] ***office*** of

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workforce [~~development~~] ***opportunity*** the position of [~~workforce development coordinator~~] ***director,*** which shall be an administrator [~~II~~] ***IV*** position, classified at labor grade [~~29~~] ***33.*** The [~~workforce development~~] director shall lead the ***office of workforce opportunity*** [~~workforce development bureau~~]. The [~~workforce development~~] director shall perform all duties which the commissioner may assign.

246 State Workforce Innovation Board; Duties Removed. RSA 12-O:44 is repealed and reenacted to read as follows:

12-O:44 State Workforce Innovation Board.

I. There is established a State Workforce Innovation Board within the Office of Workforce Opportunity.

II. Membership of the board shall be as set forth in the Workforce Innovation and Opportunity Act of 2014 as such may be amended, reauthorized, and in effect from time to time. Members of the board shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the board from among the members of the board.

III. The board shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Innovation and Opportunity Act of 2014.

247 Broadband Infrastructure Bonds. Amend RSA 33:3-g, IV to read as follows:

IV. The [~~office of planning and development~~] ***department of business and economic affairs*** shall maintain a list by town of all providers interested in receiving requests for information. The list shall include physical and electronic address information for interested providers and shall be updated as needed, but at least annually. For purposes of issuing requests for information pursuant to paragraph III, a municipality, county, or communications district shall reference the interested provider list maintained by the [~~office of planning and development~~] ***department*** and shall issue requests for information to all interested providers in that municipality, county, or communications district, both electronically and by United States mail.

248 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25, III to read as follows:

III. On or before April 30 of each year, the office of planning and development shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the office of planning and development on or before May 30 of the same year. After due consideration of such evidence, the director of [~~energy and planning~~] ***the office of planning and development*** shall determine the final components and resulting estimates.

249 Reference Deleted. Amend RSA 126-A:4, V(b)(1) to read as follows:

(1) May request and shall receive the assistance of all other state agencies, including

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[~~the office of planning and development, and~~] the departments of transportation, administrative services, and business and economic affairs.

250 Assistant Deputy Medical Examiners. Amend RSA 611-B:5 to read as follows:

611-B:5 Assistant Deputy Medical Examiners. The chief medical examiner shall [~~appoint~~] ***employ*** assistant deputy medical examiners to perform the duties of medical examiner under this chapter. Assistant deputy medical examiners shall serve without geographic restriction. An assistant deputy medical examiner shall be a person educated in the science of medicine and shall serve under the direction and supervision of the chief medical examiner. An assistant deputy medical examiner shall possess all the powers granted to medical examiners under this chapter and be sworn in the same manner. Assistant deputy medical examiners shall ***be appointed by the attorney general pursuant to RSA 21-M:3, XIV and shall*** serve at the pleasure of the chief medical examiner.

251 Department of Justice; Assistant Deputy Medical Examiners Established. There is established within the department of justice unclassified positions of assistant deputy medical examiners. The assistant deputy medical examiners shall be qualified to hold the position by reason of education and experience and shall be appointed to serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5. The salary of the assistant deputy medical examiners shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1037.

252 New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners; Deputy Chief Forensic Investigator. Amend RSA 21-M:3 by inserting, after paragraph XIII, the following new paragraphs:

XIV. The attorney general, subject to the approval of the governor and council, may appoint permanent assistant deputy medical examiners within the limits of the appropriation made for the appointment, each of whom shall serve at the pleasure of the chief medical examiner pursuant to RSA 611-B:5.

XV. The attorney general, subject to the approval of the governor and council, may appoint a permanent chief forensic investigator and/or a deputy chief forensic investigator, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The chief forensic investigator and deputy chief forensic investigator may be removed only as provided by RSA 4:1.

253 Department of Justice; Planning Analyst/Data Systems; Reclassified and Established; Deputy Chief Forensic Investigator. The planning analyst/data systems position number 9T3175, within the department of justice shall be designated as an unclassified position. There is established within the department of justice an unclassified position of deputy chief forensic investigator. The deputy chief forensic investigator shall be qualified to hold the position by reason of education and

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experience and shall be appointed to serve for a term of 5 years. The salary of the deputy chief forensic investigator shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1033. Upon completion of this action and appointments to the unclassified position, classified position number 9T3175 shall be abolished to allow for the transition of the available appropriations to the unclassified position. Funding shall be transferred into the proper unclassified expenditure class in the chief medical examiner general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general's nomination for the unclassified deputy chief forensic investigator position.

254 Chief Medical Examiner; Reference Deleted. Amend RSA 611-B:10 to read as follows:

611-B:10 Administrative and Technical Assistance. The chief medical examiner may employ adequate administrative, clerical, and technical assistants to carry out the purposes of this chapter[~~, all of whom shall be in the classified service of the state~~].

255 Office of the Solicitor General. Amend RSA 21-M:12-a, I to read as follows:

I. There is established [~~in~~] ***within*** the [~~division of legal counsel~~] ***department*** an office of the solicitor general. The office shall be supervised by the solicitor general who shall be a senior assistant attorney general appointed by the attorney general in accordance with the provisions of RSA 21-M:3, and who shall carry out the duties imposed by the section under the supervision of the attorney general and perform such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such support staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the [~~office~~] ***department.***

256 Division of Legal Counsel. Amend RSA 21-M:7, II to read as follows:

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A [~~transportation and construction~~] ***public safety and infrastructure*** bureau.

[~~(c) An office of the solicitor general.~~]

257 Department of Justice; Name Change; Public Safety and Infrastructure Bureau. Amend the section heading of RSA 21-M:12 and RSA 21-M:12, I to read as follows:

21-M:12 [~~Transportation and Construction~~] ***Public Safety and Infrastructure Bureau.***

I. There is established in the division of legal counsel a bureau of [~~transportation and construction~~] ***public safety and infrastructure.*** The bureau shall be supervised by a senior assistant attorney general who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3 and who shall carry out the duties imposed by this section under the supervision of the attorney general and do such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of

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RSA 21-M:3 and such additional clerical, stenographic, and other staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the bureau.

258 Department of Justice; Positions Transferred. The attorney general shall transfer national violent death reporting system positions 9T2789 and 9T2644 to the department of health and human services effective July 1, 2023. The department of justice appropriation 02-20-20-20-201510-59390000, national violent death reporting system, shall be repealed effective September 30, 2023.

259 New Section; Charitable Trusts. Amend RSA 7 by inserting after section 28-f the following new section:

7-28-g Handling Charges. If the attorney general collects a fee electronically for any registration, any annual report, any notice, any document, or any other purpose related to the duties of the director of charitable trusts, the attorney general shall collect a handling charge for each fee paid electronically. The amount of the handling charge shall be equal to the amount charged to the attorney general for processing the fee by credit card, electronic check, or other electronic means.

260 Charitable Trusts; Investigations. Amend RSA 7:24 to read as follows:

7:24 Investigation. The attorney general may investigate at any time charitable trusts, charitable solicitations, and charitable sales promotions for the purpose of determining and ascertaining whether they are administered in accordance with law and with the terms and purposes thereof. For the purposes of such investigation the attorney general may require any person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency administering a trust, charitable solicitation, or charitable sales promotion or having an interest therein, or knowledge thereof, to appear [~~at the state house~~] at such time and place as the attorney general may designate then and there under oath to produce for the use of the attorney general any and all books, memoranda, papers of whatever kind, documents of title or other evidence of assets or liabilities which may be in the ownership or possession or control of such person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency and to furnish such other available information relating to said trust, charitable solicitation, or charitable sales promotion as the attorney general may require.

261 Victim Assistance Programs. Amend RSA 21-M:8-i, IV to read as follows:

IV. No more than [~~15~~] ***30*** percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

262 New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation.

I. For each person receiving an annual allowance under the former RSA 100-A:19 as of the effective date of this section, the retirement system shall continue to pay the annual allowance to each such person as had been provided under RSA 100-A:19 prior to its repeal in 2014.

II. There hereby is appropriated the amount of $40,000 to fund the benefit for the remaining

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surviving beneficiaries. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such amount shall be transferred from the state's general fund to the New Hampshire retirement system, which shall maintain such funds in a segregated account exclusively for payment of the call firefighter benefits.

III. The New Hampshire retirement system shall be reimbursed from available funds a reasonable annual fee for administration of the benefit until payments under paragraph I have terminated.

IV. Funds shall be nonlapsing until termination of all benefit payments under paragraph I and any remaining funds held by the New Hampshire retirement system in this segregated account at that time, shall be returned to the state's general fund.

263 Business Finance Authority; Unified Contingent Credit Limit Increased. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, and RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, to $95,000,000 plus interest on January 1, 1994, and to $115,000,000 plus interest on May 1, 2015***, and to $200,000,000 plus interest on June 1, 2023.***

264 Appropriation; Department of Education; Kindergarten Adequate Education Grants. There is hereby appropriated the sum of $315,700 from the education trust fund, in the fiscal year ending June 30, 2023, to the department of education for the purpose of providing kindergarten adequate education grants under RSA 198:48-b, for new full-day kindergarten programs in the 2023-2024 school year. This appropriation shall not lapse until June 30, 2024.

265 Effective Date. Section 264 of this act shall take effect June 30, 2023.

266 Assessing Certification Board; Rulemaking and Implementation. To reduce workforce barriers and provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of RSA 310-C, relative to assessing standards, shall be transferred to the executive director of the office of professional licensure and certification effective September 1, 2023. The executive director shall consult with the assessing certification advisory board when implementing RSA 310-C. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.

267 Assessing Certification Board; Advisory Board Established. RSA 310-C:1 is repealed and reenacted to read as follows:

310-C:1 Assessing Certification Advisory Board.

I. There is established an assessing certification advisory board ("board") within the office of professional licensure and certification, that shall advise the executive director of the office of

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professional licensure and certification on the implementation of this chapter.

II. The board shall be composed of the following members:

(a) The commissioner of the department of revenue or designee;

(b) One certified assessor supervisor appointed by the executive director of the office of professional licensure and certification; and

(c) One member who shall be a municipal governing body official who shall not be an assessor, and who is appointed by the executive director of the office of professional licensure and certification.

III. The members shall be appointed for 3-year terms and shall not serve more than 2 full terms.

268 Assessing Certification Board; Rulemaking Authority. Amend the introductory paragraph of RSA 310-C:17, I to read as follows:

I. The ***executive director in consultation with the advisory*** board shall adopt rules pursuant to RSA 541-A, relative to:

269 Assessing Certification Board Repeal. The following are repealed:

I. RSA 310-C:9, relative to the term of certification.

II. RSA 310-C:12, I, relative to the assessing certificate.

III. RSA 310-C:13, relative to disciplinary proceedings.

IV. RSA 310-C:14, relative to hearings and investigations.

V. RSA 310-C:16, relative to summons and oaths.

270 Repeal. RSA 332-J, relative to athlete agents, is repealed.

271 Repeal. RSA 311-B:2, III and IV, relative to the members of the state board of auctioneers, is repealed.

272 Auctioneers; State Board of Auctioneers; Transfer. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for administration of the state board of auctioneers shall be transferred to the office of professional licensure and certification effective September 1, 2023.

273 Auctioneers; Rulemaking Authority. RSA 311-B:3 is repealed and reenacted to read as follows:

311-B:3 Rulemaking Authority.

I. The board, with the approval of the executive director of the office of professional licensure and certification, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The qualifications of applicants for initial, renewal, and reinstatement licensure in addition to those requirements set by statute, and the means to be used by applicants to demonstrate good professional character;

(b) Ethical and professional standards required to be met by each holder of a license under this chapter;

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(c) How disciplinary actions by the board shall be implemented for violations of these standards and for misconduct by licensees; and

(d) Establishing eligibility for certificates of authorization issued under RSA 311-B:4, III.

II. The board may adopt rules, pursuant to RSA 541-A, relative to:

(a) Required maintenance of competence including requirements for continuing education;

(b) Board approval of auctioneering educational programs; and

(c) Standards governing auctioneering apprenticeships.

274 Auctioneers; Qualifications; Application. Amend RSA 311-B:5 to read as follows:

311-B:5 Qualifications; Application. The [~~board~~] ***executive director*** shall grant licensure to any applicant who:

I. Shall have attained the age of 18 years by the date the board receives the application;

II. Submits professional references or recommendations that comply with other standards specified by rule, certifying that the applicant is trustworthy and competent to auction real, personal, and mixed property in such a manner as to safeguard the interests of the public. Each such recommendation shall set forth the writer's name, address, and occupation, the extent of the writer's acquaintanceship with the applicant, the writer's familiarity with the applicant's past business experience and dealings, and any additional knowledge of the applicant's background upon which the writer bases the recommendation;

III. Pays the initial licensure fee;

IV. [Repealed.]

V. Has good professional character;

VI. Meets the eligibility standards established by the board through rulemaking;

VII. Pays the examination fee [~~specified by the board through rulemaking~~] if the examination is one developed or administered by the board; and

VIII. Passes an examination [~~administered by the board or an examination~~] administered by another entity and approved by the board through rulemaking.

275 Auctioneers; Repeals. The following are repealed:

I. RSA 311-B:4-a, relative to cease and desist orders for auctioneering without a license.

II. RSA 311-B:6, relative to nonresidents.

III. RSA 311-B:10, relative to renewals and reinstatement.

IV. RSA 311-B:11, relative to disciplinary action.

V. RSA 311-B:11-a, relative to hearings.

276 Auctioneers; Disposition of Revenue. Amend RSA 311-B:14 to read as follows:

311-B:14 Disposition of Revenue. All moneys collected under this chapter shall be paid into the [~~general fund and are appropriated therefrom to the secretary of state for the purpose of carrying out~~

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~~the provisions of this chapter~~] ***office of professional licensure and certification fund.***

277 Allied Health Professionals; Governing Boards Established. Amend RSA 328-F:3 as follows:

328-F:3 Governing Boards Established[~~; Board of Directors; Office of Licensed Allied Health Professionals~~].

[~~I.~~] There shall be established governing boards of athletic trainers, occupational therapists, physical therapists, speech-language pathologists and hearing care providers, and genetic counselors. ***In order to eliminate a redundant regulatory framework and promote efficiency and economy, and as set forth in RSA 310, the responsibility for administration of the governing boards shall be with the office of professional licensure and certification, and the authority of the board of directors of allied health professionals is repealed.***

~~[II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.~~

~~III. There shall be an office of licensed allied health professionals established in Concord within the office of professional licensure and certification.~~]

278 Allied Health Professionals; Completion of Survey; Rulemaking. Amend RSA 328-F:11-a as follows:

328-F:11-a Completion of Survey; Rulemaking. The ***governing*** board shall adopt rules, pursuant to RSA 541-A, requiring, as part of the license renewal process, completion by licensees of a survey or opt-out form provided by the office of rural health, department of health and human services, for the purpose of collecting data regarding the New Hampshire primary care workforce, pursuant to the commission established in RSA 126-T. Any rules adopted under this section shall provide the licensee with written notice of his or her opportunity to opt-out from participation in the survey.

279 Allied Health Professionals; Criminal History Record Checks. Amend RSA 328-F:18-a as follows:

328-F:18-a Criminal History Record Checks.

I. The [~~board of directors~~] ***governing boards*** shall require [~~one of the following types of criminal background checks~~] from applicants for initial licensure or certification, reinstatement of licensure or certification, or conditional licensure or certification[~~:~~

~~(a) An original criminal offender record report issued by each state where the applicant has resided or been licensed within the past 6 years; or~~

~~(b) A~~] ***a*** criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

[~~(1)~~] ***(a)*** The applicant shall submit with the release form a complete set of

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fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** may, in lieu of the criminal history records check, accept police clearances [~~described in subparagraph (a)~~].

[~~(2)~~] ***(b)*** The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the office of [~~licensed allied health professionals~~] ***professional licensure and certification.***

II. The office of [~~licensed allied health professionals~~] ***professional licensure and certification*** shall review the criminal record information prior to the respective governing board making a decision on licensure or certification and shall maintain the confidentiality of all criminal history records received pursuant to this section.

III. The applicant shall bear the cost of all criminal history record checks.

IV. The [~~board~~] ***office of professional licensure and certification*** shall consider military security clearance for an individual actively serving in any component of the Department of Defense in lieu of criminal background checks.

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of [~~licensed allied health professionals~~] ***professional licensure and certification*** receives the results of a criminal history record check required for licensure, if the conditional employee:

(a) Is under the direct supervision of a licensee;

(b) Has provided a written attestation to the employer and the [~~board~~] ***office of professional licensure and certification*** that no disqualifying criminal history exists; and

(c) The [~~allied health~~] governing board is not a member of an interstate licensure compact.

280 Recreational Therapists; Eligibility for Licensure. Amend RSA 326-J:5, II to read as follows:

II. The executive director may, upon notice and opportunity for a hearing, deny an application for reinstatement of a license or reinstate the license with conditions. Conditions imposed may include a requirement for continuing education, practice under the supervision of a licensed recreational therapist[~~, or any other conditions set forth in RSA 328-F:18, III~~].

281 Repeals; Allied Health. The following are repealed:

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I. RSA 328-F:1, relative to allied health professionals purpose.

II. RSA 328-F:2, relative to allied health professionals definitions.

III. RSA 328-F:5, I-V, relative to allied health professionals governing board authority.

IV. RSA 328-F:7, relative to allied health professionals removal of members and vacancies.

V. RSA 328-F:8, relative to allied health professionals organization and meetings.

VI. RSA 328-F:9, relative to allied health professionals records of the boards.

VII. RSA 328-F:10, relative to allied health professionals records of disciplinary history.

VIII. RSA 328-F:11-b, relative to allied health professionals telemedicine.

IX. RSA 328-F:12, relative to allied health professionals the board of directors.

X. RSA 328-F:13, relative to allied health professionals board of directors' rulemaking authority.

XI. RSA 328-F:15, relative to allied health professionals fees.

XII. RSA 328-F:18, relative to allied health professionals issuance of licenses.

XIII. RSA 328-F:19, relative to allied health professionals renewal.

XIV. RSA 328-F:20, relative to allied health professionals reinstatement of lapsed licenses.

XV. RSA 328-F:21, II, relative to allied health professionals notification of stolen licenses.

XVI. RSA 328-F:23, relative to allied health professionals disciplinary action and hearings.

XVII. RSA 328-F:24, relative to allied health professionals investigations.

XVIII. RSA 328-F:25, relative to allied health professionals obligation to report.

XIX. RSA 328-F:26, relative to allied health professionals temporary suspension.

XX. RSA 328-F:27, relative to allied health professionals unauthorized practice.

XXI. RSA 328-F:29, relative to allied health professionals revocation of licensure.

282 Boxing and Wrestling Commission; Transfer. To promote efficiency and economy, reduce administrative costs, and facilitate customer service, the responsibility for administration of the boxing and wrestling commission shall be transferred to the office of professional licensure and certification effective September 1, 2023.

283 Boxing and Wrestling Commission; Members; Removal; Conflicts of Interest. Amend RSA 285:3, I as follows:

I. The commission shall consist of [~~3~~] ***5*** members appointed by the governor and council. Members appointed by the governor and council shall have had some experience in the fighting sports and shall be residents of the state. Members shall have no financial interest, direct or indirect, in professional fighting sports regulated by the commission.

284 Boxing and Wrestling Commission; Establishment of Commission. Amend RSA 285:7 as follows:

285:7 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The conduct of amateur and professional fighting sports competitions;

II. Requirements and qualifications for licenses, permits and amateur cards for persons

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involved in fighting sports competitions;

III. The grounds for revocation or suspension of a license or permit, and the reinstatement of suspended licenses and permits;

~~[IV. A fee schedule for permits and amateur cards and for the renewal of amateur cards;~~

~~V~~] *IV.* Promoters' bonds; and

[~~VI~~] *V.* Insurance coverage required by the commission.

285 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Cooperation With Amateur Local Boxing Committee Required. Amend RSA 285:9-a, VI as follows:

VI. The [~~commission~~] ***office of professional licensure and certification*** shall collect 5 percent of the gross receipts of paid admissions to all amateur bouts, as mandated by RSA 285:14.

286 Boxing and Wrestling Commission; Licenses Required. Amend RSA 285:11 as follows:

285:11 Licenses Required. No person shall participate in a professional fighting sports competition as a contestant, manager, referee, judge, second or timekeeper without a license from the commission. [~~The fee for all licenses issued by the commission shall be $20. Licenses granted by the commission shall be valid for one year from the date of issue unless revoked or suspended by the commission. The commission shall, upon application, renew any license unless good cause is shown that the license should not be renewed. The fee for all license renewals issued by the commission shall be $20.~~]

287 Boxing and Wrestling Commission; Suspension or Revocation; Appeals. Amend RSA 285:12 as follows:

285:12 Suspension or Revocation; Appeals.

[~~I.~~] The commission may revoke or suspend any permit or license for cause.

~~[II. Rehearings and appeals from any decision of the commission shall be in accordance with RSA 541.~~]

288 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Permit and License Fees; Amateur Cards. Amend RSA 285:14, II as follows:

II. The promoter also shall, at the same time, pay to the [~~commission~~] ***office of professional licensure and certification*** by certified check a tax of 5 percent of the gross receipts of paid admissions after deduction of any federal taxes. ***Payments made pursuant to this section shall be deposited into a dedicated fund, which shall lapse annually at the close of each fiscal year to the general fund.***

289 Boxing and Wrestling Commission; Deputy Inspectors. Amend RSA 285:19 as follows:

285:19 Deputy Inspectors. A member of the commission is not required to be present at all fighting sports competitions. If a member of the commission is not present at a fighting sports competition held under this chapter, the commission shall appoint a deputy inspector who shall, for the duration of the contest, have the full duties and powers of a member of the commission. Deputy inspectors shall be entitled to compensation as the commission, ***with the approval of the***

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executive director, may deem proper.

290 Repeals; Boxing and Wrestling Commission. The following are repealed:

I. RSA 285:5, relative to boxing and wrestling commission chairperson, treasurer, and quorum.

II. RSA 285:6, relative to boxing and wrestling commission compensation.

III. RSA 285:8, relative to boxing and wrestling commission report.

291 Electricians; Definitions. Amend RSA 319-C:2, IV as follows:

IV. "Journeyman electrician" means a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be employed by a master electrician[~~, except as provided in RSA 319-C:10~~]. Each journeyman electrician shall work under the direction and supervision of a master electrician.

292 Electricians; Inspectors. Amend RSA 319-C:5, I as follows:

I. The [~~board~~] ***office of professional licensure and certification*** shall be empowered to appoint such inspectors as may be necessary to carry out the purposes of this chapter. Any person so employed shall be under the administration and supervisory direction of the [~~board~~] ***office of professional licensure and certification.***

293 Electricians; Licensing Requirements. Amend RSA 319-C:7, II, as follows:

II. [~~After June 30, 1976,~~] The board shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board ***or experience in the field received in military service, in accordance with rules adopted by RSA 541-A***; and

(b) Satisfactory passing of an examination [~~conducted~~] ***approved*** by said board as provided in RSA 319-C:8 to determine [~~his~~] ***the person's*** fitness to receive such license.

294 Repeals. The following are repealed:

I. RSA 319-C:6-a, VI, relative to electricians rulemaking for investigations.

II. RSA 319-C:6-a, VII, relative to electricians procedural rules for hearings.

III. RSA 319-C:6-b, relative to electricians fees.

IV. RSA 319-C:9, relative to electricians renewal of licenses.

V. RSA 319-C:12, relative to electricians disciplinary action.

VI. RSA 319-C:12-a, relative to electricians hearings.

VII. RSA 319-C:12-b, relative to electricians appeals.

VIII. RSA 319-C:14, relative to electrician nonresidents.

295 Genetic Counselors; Provisional License. Amend RSA 326-K:4 to read as follows:

326-K:4 Provisional License.

I. A provisional license may be issued by the [~~board~~] ***office*** to an applicant who meets all of

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the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

(a) Issuance of a full license;

(b) Thirty days after the applicant fails to pass the certification examination; or

(c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the [~~board~~] ***office*** for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The [~~board~~] ***office*** is authorized to issue conditional provisional licenses in accordance with ***governing board*** rules adopted pursuant to RSA 541-A.

296 Genetic Counselors; Prohibition on Unlicensed Practice. Amend RSA 326-K:5, I to read as follows:

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the [~~board~~] ***office*** to practice as a licensed genetic counselor.

297 Genetic Counselors; Privileged Communications. Amend RSA 326-K:8, II to read as follows:

II. Information and results may be made available to the board ***or the office*** for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

298 Repeal; Genetic Counselors. RSA 326-K:6, relative to reciprocity is repealed.

299 Hawkers and Peddlers; Repeal. RSA 320, relative to hawkers and peddlers, is repealed.

300 Itinerant Vendors; Repeal. RSA 321, relative to itinerant vendors, is repealed.

301 Board of Manufactured Housing; Repeals. The following are repealed:

I. RSA 205-A:25, relative to board establishment.

II. RSA 205-A:26, relative to quorum.

III. RSA 205-A:27, relative to jurisdiction.

IV. RSA 205-A:28, relative to decisions.

V. RSA 205-A:29, relative to meetings and records.

VI. RSA 205-A:29-a, relative to administrative and business processing functions.

VII. RSA 205-A:30, relative to notification and cooperation.

VIII. RSA 205-A:31, relative to rulemaking.

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302 State Board of Fire Control; Mechanical Licensing Board. Amend RSA 153:27-a to read as follows:

153:27-a Mechanical Licensing Board. There is hereby established as a unit within the office of professional licensure and certification. The term of office for the members appointed to the board shall be 3 years and until a successor is appointed. The initial appointed members of the board shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. No member of the board shall be appointed to more than 2 consecutive terms. [~~A member of the board shall serve as the board secretary.~~]

I.(a) No member of the board may be associated with the formal education for licensing, and/or be provider or an employee of a provider for continuing education for any profession or trade licensed under this subdivision.

(b) A public member of the board shall be a person who is not, and never was, a member of the fuel gas fitting or plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing and/or fuel gas services or an activity directly related to plumbing and/or fuel gas, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

II. The board shall:

(a) Adopt rules as provided for in this subdivision.

(b) [~~Implement the licensing program under this subdivision.~~

~~(c)~~] Review and approve educational programs and providers.

[~~(d)~~] *(c)* Conduct hearings for disciplinary actions.

[~~(e)~~] *(d)* Review and recommend adoptions, exceptions, or omissions to technical standards as adopted under RSA 153:28.

[~~(f)~~] *(e)* Develop and recommend for the legislature future changes to this subdivision.

III. The members of the board shall be appointed by the governor and council as follows:

(a) Two licensed journeymen or master plumbers, who are actively working in the trade as plumbers.

(b) [~~Two~~] ***One*** licensed fuel gas [~~fitters~~] ***fitter***, [~~both of whom are~~] actively working in the trade as fuel gas fitters[~~, and one of whom shall represent the propane fuel industry~~].

(c) One certified heating equipment installer or heating equipment service person under RSA 153:16-b.

(d) [~~One licensed master plumber who is also a licensed fuel gas fitter and a certified heating equipment installer or servicer, actively working in the trade.~~

~~(e)~~] One public member who is not, and never was, a member of the plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing services or an activity directly related to plumbing, including the representation of the board or trade for a fee at any time during the 5 years preceding

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appointment.

[~~(f) One certified water treatment technician, who shall be a nonvoting member of the board.~~]

IV. [~~The board shall hold at least 8 regular meetings each year, and may hold special meetings at such times as the business of the board may require. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide and in accordance with New Hampshire state law. A quorum of the board shall consist of 4 members.~~

~~V.~~] The board shall annually elect a chairman [~~and a vice-chairman~~] from among its members.

[~~VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.~~]

303 State Board of Fire Control; Mechanical Licensing Board; Repeals. The following are repealed:

I. RSA 153:28, II, relative to rulemaking regarding fees.

II. RSA 153:30, relative to expiration and renewal of licensure.

III. RSA 153:32, relative to disciplinary action.

IV. RSA 153:33, relative to appeals from board decisions.

V. RSA 153:37, relative to penalties.

VI. RSA 153:38, relative to voluntary certification of water treatment technicians.

304 Pharmacy; Board. Amend RSA 318:2 to read as follows:

318:2 Board. There shall be a pharmacy board consisting of [~~7~~] ***5*** members; including [~~6~~] ***4*** practicing pharmacists, at least one of whom shall be a full-time hospital pharmacist, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member shall be appointed to more than 2 consecutive terms and no member shall serve for more than 10 consecutive years. Only board members provided for in this section shall have the authority to vote in board determinations.

305 Pharmacy; Rulemaking Authority. Amend RSA 318:5-a, IX to read as follows:

IX. [~~Procedures~~] ***Standards*** for the inspection of licensees;

306 Repeal; Pharmacy Rulemaking. The following are repealed:

I. RSA 318:5-a, VIII, relative to procedures for the conduct of hearings consistent with the requirements of due process.

II. RSA 318:5-a, X(e), relative to the establishment of the effective period of registration or certification for pharmacy technicians.

III. RSA 318:5-a, XI-a(e), relative to the establishment of the effective period of registration or certification for pharmacy interns.

IV. RSA 318:5-a, XI-c(e), relative to the establishment of the effective period of registration or certification for advanced pharmacy technicians.

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307 Pharmacy Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a Inspectional Services. The [~~pharmacy board through the~~] office of professional licensure and certification shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

308 Pharmacy; Pharmacy Interns. Amend RSA 318:15-b to read as follows:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the [~~board~~] ***office of professional licensure and certification*** to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

309 Pharmacy Examinations and Licenses; Pharmacists. Amend RSA 318:18, I(b)(3) to read as follows:

(3) File proof satisfactory to the [~~board~~] ***office of professional licensure and certification***, substantiated by proper affidavits, of a minimum of one year (1,500 hours) internship activity in a community or institutional pharmacy in the United States or Canada or an equivalent program which has been approved by the board of pharmacy; and shall pass the national examination administered by the National Association of Boards of Pharmacy (NABP) to establish his or her fitness to practice the profession of pharmacy. The internship required in this section shall be service and experience in a community or institutional pharmacy under the supervision of a licensed pharmacist and shall be predominantly related to the selling of drugs and medical supplies; interpreting, compounding, preparing and dispensing of prescriptions; preparing of pharmaceutical products; keeping records and making reports required under federal and state statutes; and otherwise practicing pharmacy under the immediate supervision and direction of a licensed pharmacist.

310 Pharmacists; Examinations and Licenses; Pharmacists. Amend RSA 318:18, II to read as follows:

II. The [~~board~~] ***office of professional licensure and certification*** may deny licensure as a pharmacist for grounds which include, but which shall not be limited to, prior conviction of a felony; or of a misdemeanor resulting from a violation of a federal, state or local drug or pharmacy-related law, rule, or regulation.

311 Pharmacy; Change in Name, Employment, or Residence. Amend RSA 318:26-a to read as follows:

318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced pharmacy technician, or pharmacy technician who changes his or her name, place or status of

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employment, or residence shall notify the [~~board~~] ***office of professional licensure and certification*** in writing within 15 days. For failure to report such a change within 15 days, the board may suspend the pharmacist's license, the advanced pharmacy technician's license, or the pharmacy technician's registration. Reinstatement shall be made only upon payment of a reasonable fee as established by the board.

312 Pharmacy; Impaired Pharmacist Program. Amend RSA 318:29-a to read as follows:

318:29-a Impaired Pharmacist Program.

I. Any pharmaceutical peer review committee may report relevant facts to the board ***or office of professional licensure and certification*** relating to the acts of any pharmacist in this state if they have knowledge relating to the pharmacist which, in the opinion of the peer review committee, might provide grounds for disciplinary action as specified in RSA 318:29, II.

II. Any committee of a professional society comprised primarily of pharmacists, its staff, or any district or local intervenor participating in a program established to aid pharmacists impaired by substance abuse or mental or physical illness may report in writing to the board ***or office of professional licensure and certification*** the name of the impaired pharmacist together with the pertinent information relating to his impairment. The board ***or office of professional licensure and certification*** may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any pharmacist who may be impaired by substance abuse or mental or physical illness.

III. [~~Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the pharmacist's individual record in the board's office. A pharmacist or his authorized representative shall be entitled on request to examine the pharmacist's peer review or the pharmaceutical organization committee report submitted to the board and to place into the record a statement of reasonable length of the pharmacist's view with respect to any information existing in the report.~~

~~IV.~~] Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with an impaired pharmacist peer review committee, shall be confidential and are not to be considered open records unless the affected pharmacist so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the pharmacist licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

[~~V.~~] ***IV.***(a) No employee or member of the board, peer review committee member, pharmaceutical organization committee member, pharmaceutical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired pharmacist shall by reason of furnishing such information be liable for damages to any

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person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless he is found to have acted recklessly or wantonly.

[~~VI.(a)~~] ***V.*** The [~~board~~] ***office of professional licensure and certification*** may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited to, education, intervention and post-treatment monitoring.

[~~(b) The board may allocate an amount determined by the board from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).~~]

313 Pharmacy; Required; Compliance. Amend RSA 318:37 to read as follows:

318:37 Required; Compliance.

I. No person shall conduct or operate a pharmacy for the sale at retail of drugs and medicines unless such pharmacy is registered with and a permit therefor has been issued by the ***office of professional licensure and certification in accordance with rules adopted by the*** pharmacy board, except as provided in this chapter.

II.(a) No person shall conduct or operate a mail-order pharmacy located outside of this state by shipping, mailing, or delivering prescription drugs into this state unless such pharmacy is registered in New Hampshire and a permit has been issued by the New Hampshire pharmacy board.

(b) To obtain a permit, a mail-order pharmacy shall comply with each of the following:

(1) Maintain a license in good standing from the state in which the mail-order pharmacy is located;

(2) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** an application for registration [~~as provided by the office of professional licensure and certification~~];

(3) Pay all appropriate registration fees;

(4) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state pharmacy license from the state in which the mail-order pharmacy is located;

(5) Submit to the New Hampshire [~~pharmacy board~~] ***office of professional licensure and certification*** a copy of the state and federal controlled substance registrations from the state in which it is located, if controlled substances are to be shipped into this state.

(c) When requested to do so by the New Hampshire pharmacy board, each mail-order pharmacy shall supply the New Hampshire pharmacy board with any inspection reports, warning notices, disciplinary actions, notice of deficiency reports, or any other related reports from the state in which it is located concerning the operation of a mail-order pharmacy for review of compliance

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with state and federal drug laws.

(d) Except in emergencies that constitute an immediate threat to the public health and require expedited action by the board, the New Hampshire pharmacy board shall file a complaint with the licensing board of the state in which the mail-order pharmacy is located when known or suspected violations of the laws of the state in which the pharmacy is located are uncovered. If the licensing board in the state in which the mail-order pharmacy is located initiates disciplinary action, the New Hampshire pharmacy board may request the appropriate documents involved in the action for consideration of discipline against the pharmacy registration of the mail-order pharmacy. If no action is taken against the mail-order pharmacy by the licensing board of the state in which it is located, the New Hampshire pharmacy board may request copies of any investigation reports available from that state.

(e) The New Hampshire pharmacy board shall extend reciprocal cooperation to any state that licenses and regulates mail-order pharmacies for the purpose of investigating complaints against pharmacies located in New Hampshire or the sharing of information and investigative reports, as long as the other state shall extend the same reciprocal cooperation to the New Hampshire pharmacy board.

314 Pharmacy; Licensing of Limited Retail Drug Distributors Required. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-a, without first having obtained a license to do so from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight June 15 of every odd-numbered year.~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

315 Pharmacy; Licensing of Outsourcing Facilities Identified as Section 503B Facilities by the United States Food and Drug Administration. Amend RSA 318:51-c, I-II to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a fee established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the pharmacy board~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

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(b) That the applicant has sufficient land, buildings, and security equipment as to properly carry on the business described in the application.

316 Pharmacy; Licensure of Research Organizations. Amend RSA 318:51-f, I-II to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the [~~board. Such license shall expire biennially on June 30 of each odd-numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by June 15 of every odd-numbered year~~] ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.***

II. No license shall be issued under this section unless the applicant has furnished proof [~~satisfactory to the board of pharmacy~~]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient space and security equipment as to properly carry on the research operations described in the application.

317 Pharmacy; Licensure of Drug or Device Distribution Agents. Amend RSA 318:51-g, I to read as follows:

I. No person shall act as a prescription drug or device distribution agent, which includes controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the ***office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy*** board.

318 Repeal; Pharmacists. The following are repealed:

I. RSA 318:5, relative to officers and duties.

II. RSA 318:6-a, relative to fees.

III. RSA 318:16-e, relative to telemedicine.

IV. RSA 318:21, relative to applicants from out of state.

V. RSA 318:23, relative to application fee.

VI. RSA 318:25, relative to renewal of license.

VII. RSA 318:26, relative to neglect to renew.

VIII. RSA 318:29, relative to disciplinary action.

IX. RSA 318:29-b, relative to denial of a license.

X. RSA 318:29-c, relative to immunity.

XI. RSA 318:30, relative to investigatory powers of the board.

XII. RSA 318:30-a, relative to temporary suspension.

XIII. RSA 318:31, relative to hearings.

XIV. RSA 318:33, relative to attendance.

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XV. RSA 318:35, relative to association.

XVI. RSA 318:36, relative to information.

XVII. RSA 318:38, relative to permits and fees.

XVIII. RSA 318:55, relative to fines.

XIX. RSA 318:56, relative to unused prescription program.

XX. RSA 318:57, relative to definitions.

XXI. RSA 318:58, relative to donating unused drugs.

XXII. RSA 318:59, relative to rulemaking.

XXIII. RSA 318:60, relative to limited immunity.

319 Physical Therapy; Powers and Duties. RSA 328-A:3 is repealed and reenacted to read as follows:

328-A:3 Powers and Duties of the Board. The board shall:

I. Provide for the examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.

II. Regulate the practice of physical therapy by interpreting and enforcing this chapter.

III. Elect officers from its members necessary for the operations and obligations of the board. Terms of office shall be one year.

320 Physical Therapy; Rulemaking. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, [~~fees,~~] and renewal of, and disciplinary proceedings for certified animal physical therapists under RSA 328-A:15-b.

321 Physical Therapy; Examination. Amend RSA 328-A:7, I to read as follows:

I. The [~~board~~] ***office*** shall conduct, ***through a third party,*** examinations within the state at least quarterly [~~at a time and place prescribed by the board~~]. The passing score shall be determined by the board.

322 Repeals; Physical Therapy. The following are repealed:

I. RSA 328-A:15, II, relative to physical therapy, rights of consumers to privacy.

II. RSA 328-A:12, relative to unlawful practice of physical therapy.

III. RSA 328-A:13, relative to reporting violations.

323 State Licensed or Certified Real Estate Appraisers; Real Estate Appraiser Board. Amend RSA 310-B:4 as follows:

310-B:4 Real Estate Appraiser Board.

I. There is established [~~an independent~~] ***a*** real estate appraiser board [~~which shall be administratively attached to the office of state~~] ***within the office of professional licensure and certification***. The board shall be composed of the following [~~7~~] ***5*** members, appointed by the governor with the consent of council:

(a) Three real estate appraisers with a minimum of 5 years' experience, consisting of one New Hampshire certified residential appraiser, one New Hampshire certified general appraiser, and

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one New Hampshire certified appraiser who is a broker licensed under RSA 331-A; provided that no 2 appraiser members shall be members of the same private appraisal organization.

(b) One representative from a New Hampshire lending institution.

(c) [~~The banking executive director or designee.~~

~~(d) Two members~~] ***One member*** of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

II. All appointments shall be made within 90 days after the effective date of this chapter.

III. On or before July 1, 1991, each real estate appraiser member of the board shall be certified or licensed are a real estate appraiser under this chapter. One such member shall hold the residential license and one such member shall hold a general appraiser certificate.

IV. The term of each member shall be 3 years, except that, of the members first appointed, 3 shall serve for 3 years, 2 shall serve for 2 years, and 2 shall serve for one year.

V. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person[~~, except the executive director or designee,~~] shall serve as a member of the board for more than 2 consecutive terms. The appointing authority may remove a member for cause.

[~~VI. The board shall meet at least once each calendar quarter to conduct its business and more often on call of the chair, or when the chair is requested to do so by 4 or more members of the board. The action of the majority of the members of the board present and voting shall be deemed the action of the board, and at least 4 members shall be present and voting on every vote of the board. Places of future meetings shall be decided by the vote of members at meetings or, in the event of a special meeting, by the chair. Written notice shall be given by the chair to each member of the time and place of each meeting of the board at least 10 days in advance.~~]

VII. The chairman of the board shall be elected from the board's members. [~~Neither the banking executive director nor his designee shall serve as chairman.~~

~~VIII. No board member shall be entitled to a per diem allowance. Board members shall be reimbursed for actual travel in the performance of official duties at the usual state employee rate.~~

~~IX. The members of the board shall be immune from any civil action or criminal prosecution for actions taken in their capacity as members of the board, provided that such action is taken in good faith and in the reasonable belief that the action was taken pursuant to the powers and duties of the board under this chapter.~~

~~X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.~~]

324 State Licensed or Certified Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5 as follows:

310-B:5 Licensure or Certification Process.

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I. Applications for original license or certification, renewal license or certification and examinations shall be made in writing [~~to the board on forms approved by the board~~].

II. Appropriate fees, [~~as fixed by the board under rules established pursuant to RSA 541-A~~], shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the [~~board~~] ***office*** for transmittal to the federal government under Title XI.

III. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in this chapter and state that he understands the types of misconduct for which disciplinary proceedings may be initiated against a certified or licensed real estate appraiser, as set forth in this chapter.

325 State Licensed or Certified Real Estate Appraisers; Prohibited Conduct. Amend RSA 310-B:5-a as follows:

310-B:5-a Prohibited Conduct. A person licensed or certified [~~by the board~~] under this chapter, shall, after a hearing, be subject to disciplinary action as provided in RSA 310-B:18 for being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar offense or offenses; provided that, for the purposes of this section, being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the sentence has been deferred or suspended.

326 State Licensed or Certified Real Estate Appraisers; Criminal History Records Checks. Amend RSA 310-B:6-a as follows:

310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the [~~board~~] ***office*** a criminal history record release form, as provided by the New Hampshire division of state police, office of safety, which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office***.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the office of safety. The [~~board~~] ***office*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [~~board~~] ***office*** may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [~~board~~] ***office***. The [~~board~~] ***office*** shall maintain the

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confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

327 State Licensed or Certified Real Estate Appraisers; Examination Prerequisites. Amend RSA 310-B:8 as follows:

310-B:8 Examination Prerequisites.

I. As prerequisites to taking the examination for certification as a certified general real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, ***in accordance with rules adopted by the board pursuant to RSA 541-A.***

II. As prerequisites to taking the examination for certification as a certified residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, ***in accordance with rules adopted by the board pursuant to RSA 541-A.***

III. As prerequisites to taking the examination for licensure as a licensed residential real estate appraiser, an applicant shall present evidence[~~, satisfactory to the board,~~] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, ***in accordance with rules adopted by the board pursuant to RSA 541-A.***

328 State Licensed or Certified Real Estate Appraisers; Experience Requirements. Amend RSA 310-B:9, II as follows:

II. Each applicant for license or certification shall furnish a signed, detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the board ***or office*** for examination a sample of appraisal reports which the applicant has prepared in the course of his or her appraisal practice.

329 State Licensed or Certified Real Estate Appraisers; Registration of Appraisal Management Companies. Amend RSA 310-B:12-b, I as follows:

I. It is unlawful for a person to directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration issued by the [~~board~~] ***office*** under the provisions of this chapter.

(a) An applicant for registration as an appraisal management company in this state

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shall submit to the [~~board~~] ***office*** an application using the method prescribed and furnished by the office of professional licensure and certification.

(b) In the event a registration process is unavailable upon the effective date of this chapter, an appraisal management company already conducting business in this state may continue to conduct business in accordance with this chapter until the 120th day after a registration process becomes available.

330 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, I to read as follows:

I. An appraisal management company that applies to the [~~board~~] ***office*** for a registration to do business in this state as an appraisal management company shall not:

331 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, III to read as follows:

III. Each appraisal management company seeking to be registered in this state shall certify to the [~~board~~] ***office*** on an annual basis on a form prescribed by the [~~board~~] ***office*** that the appraisal management company has systems in place to verify that:

332 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Appraisal Review. Amend RSA 310-B:12-i as follows:

310-B:12-i Appraisal Management Company; Appraisal Review. Any employee of, or independent contractor to, an appraisal management company that performs a USPAP Standard 3 review of an appraisal report on property located in this state shall be an appraiser with the proper level of licensure issued by the [~~board~~] ***office***. Quality control examinations are exempt from this requirement as they are not considered a Standard 3 review.

333 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company; Registration Number. Amend RSA 310-B:12-m as follows:

310-B:12-m Appraisal Management Company; Registration Number.

I. The [~~board~~] ***office*** shall issue a unique registration number to each appraisal management company registered in this state pursuant to this chapter.

II. The [~~board~~] ***office*** shall maintain a list of the appraisal management companies registered in this state and the registration numbers assigned to such persons.

III. An appraisal management company registered in this state shall disclose the registration number provided to it by the [~~board~~] ***office*** on the engagement documents presented to an appraiser.

334 State Licensed or Certified Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16, I as follows:

I. A license or certificate issued under authority of this chapter shall bear a license or certificate number assigned by the [~~board~~] ***office***.

335 State Licensed or Certified Real Estate Appraisers; Repeals. The following provisions of

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RSA chapter 310-B are hereby repealed:

I. RSA 310-B:3-a, relative to penalty.

II. RSA 310-B:10, relative to term of licensure.

III. RSA 310-B:12, relative to nonresident licensure.

IV. RSA 310-B:12-a, relative to temporary practice.

V. RSA 310-B:12-e, relative to appraisal management company fee.

VI. RSA 310-B:13, relative to renewal.

VII. RSA 310-B:13-a, relative to lapse.

VIII. RSA 310-B:14, I relative to continuing education.

IX. RSA 310-B:18, relative to disciplinary proceedings.

X. RSA 310-B:18-b, relative to reissuance of license.

XI. RSA 310-B:19, relative to hearings.

XII. RSA 310-B:20, relative to fees.

XIII. RSA 310-B:21, relative to receipts.

XIV. RSA 310-B:23-a, relative to summons.

XV. RSA 310-B:24, VII, relative to rulemaking authority.

XVI. RSA 310-B:24, IX, relative to the requirements for public information requests.

336 New Hampshire Real Estate Practice Act; Repeals. The following provisions of RSA chapter 331-A are hereby repealed:

I. RSA 331-A:7, II relative to fees.

II. RSA 331-A:7, IV, relative to fees.

III. RSA 331-A:7, V, relative to orders.

IV. RSA 331-A:12-a, relative to inactive license status.

V. RSA 331-A:15, relative to issuance of licenses.

VI. RSA 331-A:17, relative to license amendments.

VII. RSA 331-A:18, relative to lapse of license.

VIII. RSA 331-A:19, relative to renewal of license.

IX. RSA 331-A:24, relative to fees.

X. RSA 331-A:25, IV, relative to rulemaking regarding fees.

XI. RSA 331-A:25, VII, relative to license certificates.

XII. RSA 331-A:25, X, relative to procedures.

XIII. RSA 331-A:25, XI, relative to conduct of hearings.

XIV. RSA 331-A:25, XIII, relative to procedures for renewal licenses.

XV. RSA 331-A:28, relative to disciplinary actions.

XVI. RSA 331-A:29, relative to disciplinary procedures.

XVII. RSA 331-A:30, relative to hearing procedures.

XVIII. RSA 331-A:31, relative to payment by the state.

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XIX. RSA 331-A:33, relative to immunity.

XX. RSA 331-A:34, relative to unlawful practice.

XXI. RSA 331-A:35, relative to prosecution.

337 Professional Bondsmen; Approval and Registration. Amend RSA 598-A:1, as follows:

598-A:1 Approval and Registration. ***To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for registration of professional bondsmen shall be transferred to the office of professional licensure and certification effective July 1, 2023.*** No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification***; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on 5 separate occasions in said year shall be accepted thereafter during that year as bail or surety unless [~~he~~] ***the person*** shall have been approved and registered as a professional bondsman as provided in this section.

338 Professional Bondsmen; Fees. Amend RSA 598-A:1-a to read as follows:

598-A:1-a Fees.

[~~I.~~] A person proposing to become bail or surety and registered as a professional bondsman shall pay to the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** an initial application fee. [~~of $400;~~] The fee shall be deposited in the [~~general fund by the state treasurer as unrestricted revenue~~] ***office of professional licensure and certification fund.***

[~~II. Thereafter, an annual renewal fee of $100 for the registration in each county of the state where a professional bondsman seeks to post bail shall be due and payable to the secretary of state or his designee on December 30 for the ensuing year. The fee shall be deposited in the general fund by the state treasurer as unrestricted revenue.~~]

339 Professional Bondsmen; Revocation. Amend RSA 598-A:2 as follows:

598-A:2 Revocation. A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Approval and registration under this chapter may be revoked at any time by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** and shall be revoked in case such a bondsman fails for 30 days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full within 30 days after demand shall immediately notify the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** or [~~his~~] designee in writing.

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340 Professional Bondsmen; List of Professional Bondsmen. Amend RSA 598-A:3, as follows:

598-A:3 List of Professional Bondsmen. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall furnish all superior court clerks, all district courts having authority to accept bail, all jails, and all police stations with a list of the names of all persons registered as professional bondsmen and shall notify such clerks, courts, jails, and police stations of any change in a bondsman's status. The [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification*** shall update the list as necessary, but not less than once per year. The list shall include the following statement in bold type: "You are encouraged to contact more than one bail bondsman because not all bail bondsmen charge the same fees or provide the same services." The unaltered list shall be displayed prominently and visibly to defendants in all courts, jails, and police stations. No other list shall be displayed, furnished, or provided.

341 Professional Bondsmen; Rules. Amend RSA 598-A:4 as follows:

598-A:4 Rules of the [~~Secretary of State or His Designee~~] ***Executive Director.*** All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the [~~secretary of state or his designee~~] ***executive director of the office of professional licensure and certification.***

342 Refund of Fees; Repealed License Requirements. Any holder of an active license for a profession whose license requirement is repealed by this act shall be refunded their license fee for their current active license.

343 Effective Date. Sections 266-341 of this act shall take effect September 1, 2023.

344 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of $500 shall be paid during state fiscal year 2024 to retired members of the retirement system receiving an allowance, or any beneficiary of such a member who is receiving a survivorship pension benefit, who are eligible as follows:

(a) The member retired with at least 20 years of creditable service;

(b) The member retired and has been receiving an allowance for at least 5 years prior to or on July 1, 2023.

(c) The annual retirement allowance of the member on June 30, 2023 is not greater than $40,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The total cost of the additional allowances, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund in the fiscal year ending June 30, 2023. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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345 Effective Date. Section 344 of this act shall take effect June 30, 2023.

346 Budget Trailer Bill; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9:2-a to read as follows:

9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time ***and shall be publicly posted on the department of administrative services' website on the date of the transmittal.***

347 Department of Administrative Services; General Fund Appropriation Lapse; Report. For the biennium ending June 30, 2025, the department of administrative services shall provide a report to the fiscal committee of the general court on the current estimated general fund appropriation lapse for each fiscal year. Said reports shall be due on the 15th day of December, February, April, and June of each fiscal year.

348 Administrative Services; Public Works Design and Construction; Definition of Project. Amend RSA 21-I:78, IX to read as follows:

IX. "Project" means any construction, reconstruction, alteration, or maintenance in any building, plant, fixture, or facility.

(a) The term shall include those projects relating to buildings, plants, fixture, or facilities formerly administered through the department of transportation, division of public works.

(b) The term shall include projects relating to state trails, roads, bridges, and related maintenance and use of facilities under fish and game provisions in title XVIII, public recreation provisions in title XIX, and forestry provisions in title XIX-A. The commissioner may waive requirements for approval by governor and council for short term rentals of equipment contracted for or acquired for the purposes of projects under this subparagraph, provided such projects are reported quarterly to the fiscal committee of the general court.

(c) The term shall not include construction, reconstruction, alteration, or maintenance of highways, bridges, or other items directly related to transportation, which matters shall be managed by the department of transportation.

349 Revenue Information Management System Account. Amend RSA 21-J:1-b, I to read as follows:

I. There is hereby established a nonlapsing revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management

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system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. ***If the revenue information management systems account revenue is not sufficient to cover the principal and interest on the bonds and notes to fund the RIMS project, the governor is authorized to draw a warrant from funds not otherwise appropriated.*** Said funds shall not be used for any other purpose.

350 New Section; Electronic Licensing, Certification, and Registration System; Department of Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new section:

425:12-a Electronic Licensing, Certification, and Registration System. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of all departmental licensing, certification, and registration duties. Such system shall be capable of receiving electronically transmitted product registrations, license applications, certificate applications, and related materials. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

351 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing, Certification, and Registration System. For the purpose of developing an electronic licensing, certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of $360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

352 Refuse Reduction; Disposal Prohibited. Amend the section heading of RSA 149-M:27 to read as follows:

149-M:27 ~~[Refuse Reduction]~~ ***Disposal Prohibited.***

353 New Paragraph; Food Waste Disposal. Amend RSA 149-M:27 by inserting after paragraph IV the following new paragraph:

V.(a) Beginning February 1, 2025, any person generating one ton of food waste per week or greater shall not dispose of such waste in a landfill or incinerator provided that:

(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

(2) The alternative facility has adequate capacity to accept the food waste.

(b) Food waste prohibited from disposal under subparagraph (a) shall be separated from

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other types of solid waste and managed in accordance with one or more of the following methods, in order of preference:

(1) Reduction of the amount generated at the source;

(2) Consumption by humans;

(3) Consumption by animals;

(4) Composting, digestion, or land application as appropriate; and

(5) Energy recovery not involving combustion.

354 Definitions; Food Waste. Amend RSA 149-M:4, IX-a to read as follows:

IX-a. ***"Food waste" means the organic residues generated by the handling, preparation, storage, sale, and serving of foods and beverages. "Food waste" includes pre-consumer and post-consumer organic residues, food scraps, and non-petroleum oil used for food preparation provided it does not contain sanitary wastewater.***

IX-b. "General permit" means a permit which contains terms and conditions applicable to a specific category of facility, which applies to any facility in that category which has submitted the required information and agreed to abide by the stated terms and conditions.

355 Solid Waste; Definitions; Source Reduction. RSA 149-M:4, XXIV is repealed and reenacted to read as follows:

XXIV. "Source reduction" means the practice of reducing the quantity or toxicity of waste generated at the source, before recycling, processing, disposal or treatment, by changing the processes that first generated the waste. Source reduction includes waste reduction.

356 Department of Environmental Services; New Position; Waste Management Specialist III. There is established the position of Waste Management Specialist III to administer the provisions of RSA 149-M:27, V. The position shall be funded from the solid waste management fund established under RSA 149-R:3.

357 Effective Date. Sections 352-356 of this act shall take effect January 1, 2024.

358 Definitions; PFAS Fund and Programs. Amend RSA 485-H:2, IV to read as follows:

IV. "PFAS [~~loan~~] ***response*** fund" means the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

359 Implementation of Drinking Water Protection Program; PFAS Response Fund. Amend RSA 485-H:3, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made and will make reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party after the loan is provided is applied to early repayment of such loan to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent

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the negligence of the applicant caused the contamination that resulted in the exceedance of a PFAS drinking water standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness or grant. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

360 Implementation of Groundwater, Surface Water and Aquatic Life Protection; PFAS Response Fund. Amend RSA 485-H:4, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [~~loan~~] ***response*** fund or receiving a grant, and that any money received from a liable or potentially liable third party at a later time is applied to early repayment of the loan from the PFAS [~~loan~~] ***response*** fund to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of an applicable PFAS standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness. Any money recovered by the department from such third party shall be deposited in the PFAS [~~loan~~] ***response*** fund.

361 New Subparagraph; Duties of the Department; PFAS Response. Amend RSA 485-H:8, I by inserting after subparagraph (d) the following new subparagraphs:

(e) Investigating, testing, and monitoring PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

(f) Conducting scientific investigation to support development of appropriate regulatory standards for PFAS, and development and implementation of treatment and remediation methods for PFAS in air, water, soil and other media.

362 PFAS Response Fund Established. Amend RSA 485-H:10 to read as follows:

485-H:10 PFAS [~~Remediation Loan~~] ***Response*** Fund Established. There is hereby established in the department the PFAS [~~remediation loan~~] ***response*** fund which shall be maintained [~~by the state treasurer in~~] ***as*** distinct and separate [~~custody~~] from all other funds[~~, notwithstanding RSA 6:12~~]. The [~~state treasurer may invest the~~] PFAS [~~remediation loan~~] ***response*** fund ***shall be invested*** in accordance with RSA 6:8. Any earnings on PFAS [~~remediation loan~~] ***response*** fund moneys shall be added to the PFAS [~~remediation loan~~] ***response*** fund. All moneys in the PFAS

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[~~remediation loan~~] ***response*** fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS [~~remediation loan~~] ***response*** fund shall be used to fund ***departmental duties as outlined in RSA 485-H:8, including*** loans***, grants,*** and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds related to the PFAS [~~remediation loan~~] ***response*** fund shall be credited to the PFAS [~~remediation loan~~] ***response*** fund.

363 Application of Receipts; PFAS Response Fund. Amend RSA 6:12, I(b)(361) to read as follows:

(361) Moneys deposited in the PFAS [~~remediation loan~~] ***response*** fund established in RSA 485-H:10.

364 PFAS Response Fund. Amend 2022, 326:10 to read as follows:

326:10 Appropriation; PFAS [~~Remediation Loan~~] ***Response*** Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the PFAS [~~remediation loan~~] ***response*** fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. ***Up to 10 percent of the moneys appropriated under this section may be used to fund the duties of the department outlined in RSA 485-H:8, I.***

365 Department of Environmental Services; Appropriation; PFAS Response Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the PFAS response fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

366 Effective Date. Sections 358 -364 of this act shall take effect upon its passage.

367 Effective Date. Section 365 shall take effect June 30, 2023.

368 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

III. The department is authorized to solicit funds from [~~the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section~~] ***any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives.*** [~~Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.~~]***Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.***

369 Appropriation; Solid Waste Management Fund. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the solid waste management fund established under RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated

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with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

370 Effective Date. Section 369 of this act shall take effect June 30, 2023.

371 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such additional justices to preside over cases assigned to the land use review docket, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of appeal. At the structuring conference the court shall set a deadline for the filing with the court of

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the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of the certified record. The court shall issue a decision on the merits within 60 days of the hearing. The court may extend any of the deadlines established in this paragraph upon agreement of the parties or for other good cause shown, but if the extension is based upon good cause, the court shall articulate in its order granting the extension the specific facts and circumstances that warrant the extension.

372 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and ~~[21]~~ ***22*** associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term, he or she may return to the position of associate justice, whether or not an associate justice vacancy then exists.

373 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA 110-B:55, I to read as follows:

I. Fines may be paid to a military court or to an officer executing its process. The amount of any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the same may be collected with lawful costs of collection, as in the case of executions issued in action founded upon torts. ***Fines collected shall be paid over to the state treasurer and credited to the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.***

374 Department of Military Affairs and Veterans Services; New Hampshire National Guard Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the purpose of encouraging enlistment in the national guard there is hereby established a New Hampshire national guard enlistment incentive program. This program authorizes a cash incentive up to ~~[$500]~~ ***$1,000*** to current members of the New Hampshire national guard in the pay grades of E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service recruit that they bring into the New Hampshire national guard.

375 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive Program. Amend RSA 110-B:61, I to read as follows:

I. There is hereby established a fund to be known as national guard enlistment incentive program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of encouraging enlistment in the national guard and shall not be used for any other purpose. The adjutant general shall oversee expenditures from the fund. The moneys in the fund shall be ***continually appropriated and***

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nonlapsing.

376 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

110-B:62 Oversight and Administration. The adjutant general shall [~~adopt rules pursuant to RSA 541-A relative to~~] ***establish procedures necessary for*** the administration of the enlistment incentive program and relative to its execution by the New Hampshire Army and Air National Guard recruiting offices in coordination with the department of military affairs and veterans services.

377 Department of Military Affairs and Veterans Services; Postsecondary Educational Assistance; Eligibility Determinations. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility Determinations. Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall ***establish*** [~~adopt rules, pursuant to RSA 541-A, and~~] procedures [~~deemed by the adjutant general to be~~] necessary to carry out and monitor the educational assistance provided by this subdivision.

378 Effective Date. Sections 373 - 377 of this act shall take effect 60 days after its passage.

379 Department of Corrections; Division of Personnel and Information; Personnel Management; Recruitment and Retention Program. RSA 21-H:4 V(a) is repealed and reenacted to read as follows:

(a) Personnel management, recruitment, and retention. The department shall develop a program for the recruitment, selection, placement, and retention of qualified applicants for the New Hampshire department of corrections.

(1) The program may include expenditures for recruitment and retention activities and incentives, including but not limited to:

(A) National Corrections Professionals Week recognition activities at all departmental sites to support employee retention, which may include a paid meal for the site during the week, physical awards and gift cards with a value of less than $25 as performance incentives based on departmental policies for employee recognition, and items issued to employees that are within the financial scope of the department's current expense appropriations in expenditure class 020.

(B) Referral fees or bonuses for active employees or newly hired applicants who have not been employed by the state through a policy approved by the commissioner.

(2) Any recruitment or retention incentives received by an employee pursuant to this subparagraph shall not be considered gifts under RSA 15-B.

(3) Referral of applicants by current department employees for the purpose of receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued by the director regarding the referral program shall require that the benefits of the program shall be equally available to all department employees, except as specified in subparagraph (1)(B), and

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subject to uniform criteria established by the director.

(4) Any expenditures made for recruitment or retention incentives pursuant to this subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit employees and the state, and that is confined exclusively to the public employer by statute as provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered into by the state.

380 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall have discretionary authority to pay burial and wake expenses in an amount not to exceed $10,000 for an employee whose death occurs while on duty with the department of corrections and when the deceased employee's next of kin demonstrates an inability to afford the burial or wake expenses.

381 New Subdivision; Contact Person Notification Program. Amend RSA 106-B by inserting after section 34 the following new subdivision:

Contact Person Notification Program

106-B:35 Definitions. As used in this subdivision:

I. "Contact person notification program" or "program" means the program developed and operated pursuant to this subdivision.

II. "Law enforcement officer" means any state, county, or municipal law enforcement officer.

III. "Participating person" means a person:

(1) Who voluntarily provides to a law enforcement agency contact information for a person or persons to assist with communications and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person; or

(2) Who has a legal guardian under RSA 464-A and for whom the legal guardian provides to a law enforcement agency contact information to assist with communications, and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person.

106-B:36 Contact Person Notification Program.

I. The division of state police shall develop and implement a contact person notification program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. The program shall provide the law enforcement officer with access to contact information for a person that is voluntarily submitted by a participating person or the legal guardian of a participating person. The program shall be capable of interfacing with the state police online telecommunications system (SPOTS).

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II. The division of state police shall develop and implement standards of procedure for the operation of the program for law enforcement agencies consistent with policies adopted by the department of safety. The standards shall address processing the application of a participating person or that person's legal guardian, determining the validity of identity and legal guardianship information, entering contact information into the state police online telecommunications system (SPOTS), procedures for a participating person or that person's legal guardian to withdraw from the program, and procedures for a law enforcement officer to access contact information.

382 Appropriation; Department of Safety; Contact Person Notification Program. The sum of $50,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety, division of state police for establishment and administration of the contact person notification program established in RSA 106-B:36. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

383 The sum of $150,000 is hereby appropriated for the fiscal year ending June 30, 2023, to the department of education for the purpose of contracting with the National Student Clearinghouse Student Tracker Program for each public school district in New Hampshire. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

384 Effective Date. Section 383 of this act shall take effect June 30, 2023.

385 New Paragraph; Math Learning Communities Program in Public Secondary Schools; Structure. Amend RSA 193-I:2 by inserting after paragraph III the following new paragraph:

IV. The community college system of New Hampshire shall annually submit a report listing the New Hampshire high schools that are partners in the math learning communities program to the department of education, the house education committee and the senate education committee no later than October 1. The submitted report shall contain, but not be limited to, the total number of students participating in the advanced mathematical foundation and quantitative reasoning courses; the number of summer institute participants; a summary of student achievement and growth using data based upon the Next-Generation Accuplacer (QAS) exam and the SAT math examination; and any other information as determined by the community college system of New Hampshire.

386 Appropriation; Community College System of New Hampshire. The sum of $200,000 for the fiscal year ending June 30, 2024 and the sum of $200,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the community college system of New Hampshire for the purpose of continuing the math learning communities program in partnership with New Hampshire high schools. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

387 Appropriation; Community College System of New Hampshire; Promise Program. The sum of $3,000,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the community college system of New Hampshire for the New Hampshire promise program for the purpose of

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supporting access and affordability of postsecondary education for New Hampshire residents. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

388 Effective Date. Section 387 of this act shall take effect June 30, 2023.

389 The sum of $2,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the community college system of New Hampshire to expand workforce credential programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

390 Effective Date. Section 389 of this act shall take effect June 30, 2023.

391 Duties of the Department of Health and Human Services; Review of Rates for Child Day Care Services. For the biennium ending June 30, 2025, the department of health and human services shall review the rates established for the purchase of child day care services on behalf of eligible persons. This review shall consider the effects of the established rates on current costs, quality and availability of services. The commissioner shall adjust child care eligibility to 85 percent of the state median income as defined by the United States Census Bureau. If at any time the commissioner determines that funding is insufficient to provide services to those meeting the eligibility criteria, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

392 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2025, whether there is sufficient funding in account 05-95-42-421110-2977, class 536, to fund employment-related child care services to avoid a wait list and support greater utilization of employment-related childcare. If at any time the commissioner determines that funding is insufficient, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistant to Needy Families (TANF) reserve funds to cover the amount of the shortfall. The department shall report quarterly to the fiscal committee of the general court on any funds expended on employment-related child care services, including funds budgeted in account 05-95-42-421110-2977 as well as federal TANF funds authorized by this section.

393 Duties of the Department of Health and Human Services; Child Care Services Reimbursement Rates. For the biennium ending June 30, 2025, the department of health and human services shall set child care services reimbursement rates across all child care programs to match the 75th percentile of market rate survey or allow for rates to be set through an alternative "true cost of care" mechanism to be defined by the department of health and human services. If at any time the commissioner determines that funding is insufficient to set service rates at the 75th percentile, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the

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amount of the shortfall.

394 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed and reenacted to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by general funds or by voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription drug affordability board administration fund, which shall be kept distinct and separate from all other funds. The fund shall be appropriated to and administered by the board. Voluntary contributions under this section shall be deposited in the fund. The board shall use the fund, consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the board. The fund may be used to pay administrative, technical, legal support, or other costs incurred by the board under this chapter. The state treasurer may invest moneys in the fund as provided by law, and all interest received on such investment shall be credited to the fund. The dedicated fund shall be subject to the provisions of RSA 6:12-j.

395 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures; Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and disclosures, confidentiality, and registration by the prescription drug affordability board shall be suspended for the biennium ending June 30, 2025.

396 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties, is repealed.

397 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is repealed and reenacted to read as follows:

VI. The board shall be administratively attached to the department of health and human services. For a limited time, the board may employ an executive director, who shall be an unclassified employee. The executive director shall be appointed by and serve at the pleasure of the board. Said position shall be effective for no more than 2 years following the date of hire of the individual first selected to fill the position. The board may also employ one contracted employee or more, dependent on the availability of funds.

398 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those for consulting services or personal contract services, shall be subject to the competitive bid process. Such contracts shall also be approved by the fiscal committee of the general court, the governor, and the executive council.

126-BB:12 Financial Report. The board shall annually report on any moneys spent by the board, the source of such funds, the purpose of spending such funds, and the progress of any project

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on which the funds were spent. Such report shall be submitted to the fiscal committee of the general court, the committees having jurisdiction over the board in both the house of representatives and the senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

399 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by inserting after section 67 the following new section:

400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with the prescription drug affordability board established in RSA 126-BB, shall issue a report on the elimination of redundancies related to the collection, analysis, and reporting on prescription drug prices between the two organizations, including proposed legislation on such elimination, with the overarching goal of promoting efficiency and economy. This report shall be submitted to the health and human services oversight committee established in RSA 126-A:13, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 1, 2024.

400 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

401 Effective Date. Section 400 of this act shall take effect October 1, 2024.

402 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of each managed care organization awarded contracts as vendors under the Medicaid managed care program, appointed by the governor.

(6) A representative of a hospital that operates in New Hampshire, appointed by the New Hampshire Hospital Association.

(7) A public member, who has health care expertise, appointed by the senate president.

(8) A public member, who currently receives coverage through the program,

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appointed by the speaker of the house of representatives.

(9) A public member representing the interests of small businesses in New Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

(10) A representative of the medical care advisory committee, department of health and human services, appointed by the commissioner of the department of health and human services.

(11) A licensed physician, appointed by the New Hampshire Medical Society.

(12) A licensed mental health professional, appointed by the National Alliance on Mental Illness New Hampshire.

(13) A licensed substance use disorder professional, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.

(14) An advanced practice registered nurse (APRN), appointed by the New Hampshire Nurse Practitioner Association.

(15) The chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this commission.

II.(a) The commission shall evaluate the effectiveness and future of the program. Specifically the commission shall:

(1) Review the program's financial metrics.

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to, whether the program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Review up-to-date information regarding changes in the level of uncompensated care through shared information from the department, the department of revenue administration, the insurance department, and provider organizations and the program's impact on insurance premium tax revenues and Medicaid enhancement tax revenue.

(6) Evaluate reimbursement rates to determine if they are sufficient to ensure access to and provider capacity for all behavioral health services.

(7) Review the reasons beneficiaries are not re-enrolled in the program.

(8) Review the program's provider reimbursement rates and overall financing structure to ensure it is able to provide a stable provider network and sustainable funding

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mechanism that serves patients, communities, and the state of New Hampshire.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

(c) The commission shall meet at least annually.

III. The members of the commission shall elect a chairperson from among the members. Eight members of the commission shall constitute a quorum.

IV. On or before November 1, the commission shall make annual recommendations for any proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor, as appropriate.

403 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed. Amend RSA 176-A:1, III to read as follows:

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3[~~; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund established in RSA 126-AA:3~~].

404 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount [~~of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV and~~] ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

405 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse prevention and treatment fund [~~pursuant to RSA 176-A:1, IV~~] ***in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made***

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during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year;

406 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

407 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend 2018, 342:25, II to read as follows:

II. Paragraphs III and VII of section 24 of this act shall take effect December 31, [~~2023~~] ***2030.***

408 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

409 Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the actual amount of the final agreed contribution from the Foundation for Healthy Communities, anticipated to take place by December 31, 2023.

410 Effective Date. Sections 403 - 405, 407, and 408 of this act shall take effect December 31, 2023.

411 Effective Date. Section 406 of this act shall take effect November 1, 2028.

412 New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA 167:68 by inserting after paragraph III the following new paragraph:

IV.(a) Pursuant to the state option under the section 5113 of the Consolidated Appropriations Act of 2023 to expand maternity care under Medicaid and section 1902(e)(16) of the Social Security Act (42 U.S.C. 1396a(e)), the commissioner of the department of health and human services shall submit, no later than August 15, 2023, a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and implement 12 months of continuous coverage for the entire postpartum period. This benefit shall be available to anyone who received medical assistance under the state plan for all pregnancy-related and postpartum medical assistance available under the state plan through the last day of the month in which the 60-day period (beginning on the last day of her pregnancy) ends, remain eligible under the state plan for medical assistance for the period beginning on the first day occurring after the end of such 60-day period and ending on the last day of the month in which the 12-month period (beginning on the last day of her pregnancy) ends.

(b) The medical assistance provided for a pregnant or postpartum woman under this

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section shall, consistent with Section 1902(e)(16) include all items and services covered under the state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

(c) The purpose of the program shall be, through ensuring continuous coverage for a 12-month postpartum period, to increase identification and mitigation of preventable pregnancy related and pregnancy associated morbidity and mortality, including those related to substance use disorder and mental illness.

(d) On January 1, 2024, the commissioner shall begin submitting quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's progress in obtaining and implementing the state plan amendment. The quarterly reports shall include the department's plans for reducing administrative burdens for enrollees and the department's efforts to expand access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to subparagraph (a). Reports submitted under this subparagraph shall also be posted on the department's website.

413 Appropriation. The sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of expanding postpartum health care services under the state Medicaid plan as provided in this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated.

414 Effective Date. Section 413 shall take effect on June 30, 2023.

415 New Subdivision; Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Medicaid Coverage of Certain Birthing, Postpartum, and Newborn Services

126-A:99 Medicaid Doula Coverage.

I. Notwithstanding any other provision of this chapter, doula services shall be covered under the medical assistance for eligible Medicaid beneficiaries.

II. As used in this section, "doula services" means services provided by a highly-qualified doula certified by the state pursuant to RSA 310-A:222 and designed to provide physical, emotional, and educational support to pregnant women before, during, and after childbirth. Doula services include the following:

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(a) Support and assistance during labor and childbirth.

(b) Prenatal and postpartum support and education.

(c) Breastfeeding assistance and lactation support.

(d) Parenting education.

(e) Support for a birthing person following loss of pregnancy.

III. The department of health and human services is authorized to take any action to include doula services in the medical assistance program, including seeking waivers or amending the Medicaid state plan to provide reimbursement for doulas who provide Medicaid eligible services to eligible Medicaid beneficiaries.

IV. Not later than January 31, 2025, the commissioner shall report to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor, a set of metrics determined by the department of health and human services.

V. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this section. The rules shall address the requirements and expertise of practicing doulas, doula training providers, and home visiting experts. Every 2 years, the department shall assess the rates of reimbursement for doula services and adjust rates accordingly.

126-A:100 Medicaid Coverage of Lactation Services; Reimbursement Required.

I. The department of health of health and human services shall cover lactation services for Medicaid recipients as a pregnancy-related service under New Hampshire's Medicaid program.

II. The department is authorized to use the following Medicaid coverage categories to reimburse lactation services:

(a) Inpatient hospital services, other than services in an institution for mental disease, per Social Security Act (SSA) section 1905(a)(1);

(b) Outpatient hospital services, per SSA section 1905(a)(2)(A) and 42 C.F.R. section 440.10;

(c) Early and periodic screening, diagnostic, and treatment services for individuals who are eligible under the plan and are under the age of 21, per SSA section 1905(a)(4)(B);

(d) Physicians' services furnished by a physician under the physician's supervision, whether furnished in the office, the patient's home, a hospital, or a nursing facility, or elsewhere, per SSA section 1905(a)(5)(A);

(e) Services furnished by a nurse-midwife, which the nurse-midwife is legally authorized to perform under State law, per SSA section 1905(a)(17);

(f) Freestanding birth center services, per SSA section 1905(a)(28); and

(g) Services furnished by nurse practitioners per 42 C.F.R. section 440.166 and other licensed practitioners per 42 C.F.R. section 440.60.

III. Reimbursable lactation services shall include:

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(a) Breastfeeding education;

(b) Individual lactation consultation; and

(c) Equipment rentals.

126-A:101 Medicaid Coverage of Donor Breast Milk; Reimbursement Required.

I. The department of health and human services shall provide reimbursement under the medical assistance program for donor breast milk provided to an infant receiving benefits under this chapter by organizations approved by the department if a physician or physician assistant licensed in this state or an advanced practice registered nurse licensed in this state signs an order state the following:

(a) The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's mother is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and

(b) The infant:

(1) Was born at a birth weight of less than 1,500 grams;

(2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;

(3) Is not appropriately gaining weight or growing;

(4) Has formula intolerance and is experiencing weight loss or difficulty feeding;

(5) Has low blood sugar;

(6) Has congenital heart disease;

(7) Has received or will receive an organ transplant; or

(8) Has another medical condition for which donor breast milk is medically necessary.

II. The department shall adopt rules pursuant to RSA 541-A to implement the program described in this section.

416 Medicaid State Plan; Requiring Coverage of Donor Breast Milk. The department of health and human services shall prepare and submit a Medicaid state plan amendment or waiver as necessary to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services no later than September 30, 2023 that provides or requests, as appropriate, Medicaid coverage consistent with RSA 126-A:101 for the coverage of donor breast milk for eligible infants.

417 Appropriation; Reimbursement for Donor Breast Milk under the Medicaid Program. The sum of $250,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for donor breast milk for eligible infants under the state Medicaid plan as provided in sections 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-3, or any other federal funds, can be used for this

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purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

418 Appropriation; Reimbursement for Doulas under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for state-certified doulas under the state Medicaid plan as provided in section 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

419 Appropriation; Reimbursement for Lactation Services under the Medicaid Program. The sum of $300,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of providing reimbursement for lactation services under the state Medicaid plan as provided in section 1 of this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated. The department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court.

420 Effective Date. Sections 417-419 of this act shall take effect June 30, 2023.

421 New Section; Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), no later than January 1, 2024, the commissioner of the department of health and human services shall submit to the Centers for Medicare and Medicaid Services (CMS) the state plan amendments required under Medicaid and the Children's Health Insurance Program (CHIP) to expand coverage to otherwise eligible pregnant women and children

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who are lawfully residing in the United States. The state plan amendments shall elect the option for children up to age 19 and shall elect the option for pregnant women through the postpartum period. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

422 Appropriation: Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. The sum of $336,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the state share of the expansion of Medicaid and CHIP to include certain children and pregnant women as provided in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

423 Department of Health and Human Services; Purchase of Scanner. Of the amount appropriated to the department of health and human services in account 05-95-42-421510-6643, Sununu Youth Services Center, for the fiscal year ending June 30, 2024, an amount not to exceed $325,000 shall be used for the purpose of purchasing a full body scanner.

424 Transfer Authority; Sununu Youth Services Center. Notwithstanding RSA 9:16-a or any other law to the contrary, for the biennium ending June 30, 2025, the department of health and human services shall have the authority to transfer between all class lines in account 05-95-42-421510-6643, Sununu Youth Services Center.

425 Declaration of Purpose. New Hampshire voters passed the Right of Privacy into the state constitution in November 2018 with an 81 percent approval. With that vote, state government culture and behavior needed to be shaped by the words, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent". The department of health and human services has been subject to the Health Insurance Portability and Accountability Act since 1996 which drove initial efforts to develop a culture and infrastructure to protect personal data privacy. As a holder of personal information in state government, the department has a responsibility to demonstrate to the public the state's commitment to actively and overtly respect personal privacy, including privacy of personal information. Establishing and maturing a culture of privacy is core to successfully driving future efforts to implement and enhance privacy policies, procedures, and practices. Continuous improvement requires appropriate governance and policy leadership.

426 New Subdivision; Data Privacy and Information Technology Security Governance Board. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:99 Data Privacy and Information Technology Security Governance Board Established. There is hereby established a data privacy and information technology security governance board to oversee the department's use of data, data privacy, and information technology security that shall be

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maintained by the department of health and human services.

126-A:100 Membership; Quorum.

I. The data privacy and information technology security governance board shall consist of the following members:

(a) The commissioner of the department of health and human services, who shall serve as the governance board chair.

(b) The department's privacy officer.

(c) Three directors of the department who have responsibility for one of the following areas: Medicaid services, public health, behavioral health, children, youth and families, or long-term support and services.

(d) The director of the department's bureau of human resource management.

(e) The director of the department's bureau of information services.

(f) The department's chief legal officer.

(g) The commissioner of the department of information technology.

(h) Up to 2 additional voting members appointed by the commissioner of the department of health and human services, if needed.

II. A quorum of this board shall consist of the named positions being in attendance with greater than 50 percent present. Members may delegate authority to represent them for the purposes of maintaining a quorum. The chair of the board may also delegate authority to another appropriate member of the governance board to serve during a specified meeting.

126-A:101 Duties.

I. The data privacy and information technology security governance board shall:

(a) Meet at least 3 times a year and post public facing meeting minutes within 2 weeks of the completion of each meeting on the department's web page.

(b) Become educated in what data governance means, how it will work for the organization, and what it means to embrace data governance and activate enterprise data stewards.

(c) Actively promote improved data governance practices across the department.

(d) Identify and approve of pivotal data governance roles and responsibilities for the department including cross-enterprise domain stewards and coordinators.

(e) Advise, review, and approve the department's data control, governance, and privacy practices in compliance with federal and state law and federal and state information privacy and security policies, with the goal to meet or exceed private market benchmarks for governance, risk management, and compliance.

(f) Drive strategic and timely implementation of a department-wide privacy policy, related procedures and processes to operationalize policy-derived controls, and effective risk management methodologies, including industry standards such as privacy impact assessments and privacy by design.

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II. The data privacy and information technology security governance board may solicit information from any person or entity the board deems relevant to its quest.

126-A:102 Risk Management.

I. The department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment (PIA).

II. The assessment and plan shall:

(a) Assess risks to an individual's right to privacy within the department's information technology systems where the individual does not possess immediate control over their information.

(b) Recommend alternatives to both mitigate the risks and achieve the stated objectives of the department's systems.

(c) Identify those individuals and offices within the department who shall be directly accountable for the assessment and plan, the system at the time the assessment and plan are compiled, and any approved alternatives and mitigations as a result of the assessment and plan.

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2025.

IV. The assessment and plan shall be approved and may be acted upon by the commissioner. All assessments and plans conducted before the date of the next data privacy and information technology security governance board meeting shall be submitted to the board for review.

427 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be information technology manager IV, labor grade 32, step 7.

IV. The sum of $300,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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V. The department is authorized to use contract support available from funds prior to July 1, 2025.

428 Findings. The general court finds that given the statistically significant excess in the number of cases of kidney cancer in Merrimack, New Hampshire found by the department of health and human services, the known detection of environmental contaminants that have been associated with kidney cancer, and a trend of increasing incidence of kidney cancer over time, the department recommends that a feasibility study as determined by the New Hampshire Cancer Concern Investigation Protocol, Phase 3 be conducted. The general court further finds that a Phase 3 feasibility study would determine if an epidemiological study (Phase 4) is warranted and would identify appropriate cancers and health outcomes for inclusion in such study.

429 Appropriation; Department of Health and Humans Services; Phase 3 Feasibility Study.

I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025, to the department of health and human services to enter into a contract with an academic or research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility Study for the town of Merrimack to further understand potential exposures that may contribute to the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such funds shall be nonlapsing and appropriated to the department for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. In order to provide funding for said appropriation, and subject to prior review by the joint legislative oversight committee on health and human services established in RSA 126-A:13, the department shall first use any available grant funding or any other non-state funds which may be used for this purpose.

430 General Fund Transfer to Highway Fund. The sum of $10,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the highway fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

431 Effective Date. Section 430 of this act shall take effect June 30, 2023.

432 Purpose Statement. The general court finds that people and animals accessing lakes and rivers across the state have been impacted by cyanobacteria blooms, which pose a threat of acute and chronic illnesses from the toxins they release. Many of these blooms have been triggered by phosphorus loading from direct run-off, poor culvert design, inefficient or failed septic systems, internal loading of phosphorus, among other causes. The cost of designing, installing and repairing mitigation systems or projects for many communities, watershed management associations, and lake associations, would result in dramatically higher property taxes or would take many years of fundraising and delay projects exacerbating the problem. The mitigation of contributors to cyanobacteria blooms requires a strategy to protect, preserve, and enhance the water quality that

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New Hampshire citizens and the natural environment depend upon.

433 New Subdivision; Cyanobacteria Mitigation Loan Program. Amend RSA 485-A by inserting after section 57 the following new subdivision:

Cyanobacteria Mitigation Loan Program

485-A:58 Establishment and Implementation of Cyanobacteria Mitigation Loan Program.

I. There is established in the department of environmental services the cyanobacteria mitigation loan program. The program shall provide low interest loans to:

(a) Municipalities, community water systems and non-profit lake and river watershed associations whose testing shows confirmed and chronic exceedances of the state health advisory for cyanobacteria, for remediation efforts begun after September 30, 2023.

(b) Publicly-owned and non-profit lake or river watershed associations that have a watershed management plan which specifies sources of phosphorus loading approved by the department of environmental services.

II. Projects shall only be financed after the applicant's proposed mitigation plan or watershed management plan demonstrates that such plan is the most cost-effective solution, as reviewed and approved by the department of environmental services. The applicant shall provide evidence in the application for funding that there are no-no-cost or low-cost efforts that would result in a substantial decrease in external phosphorus loading. The applicant shall also show that there is no responsible party identified by department of environmental services or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

III. Loans or grants may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

IV. The cyanobacteria mitigation program shall forgive up to 10 percent of the loan principal to community water systems, publicly owned or non-profit lake or river watershed associations using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

V. Total loan forgiveness under this section shall not exceed $1,000,000 in a fiscal year.

485-A:59 Duties.

I. The department of environmental services shall:

(a) Administer the cyanobacteria mitigation loan and grant program to assist municipalities; community and non-profit, lake and river watershed association; with the cost of reducing the number of chronic and extended cyanobacteria bloom that the department considers to be a threat to long term health of water bodies. For purposes of this subparagraph, administration includes oversight of the grant or loan expenditures to ensure they are not misused.

(b) Administer a loan forgiveness program to assist municipalities, community, and non-profit, lake and river watershed association with loan repayment.

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(c) Award loan or grant funds to projects that meet the following criteria:

(1) The project is or was necessary to reduce phosphorus loading identified in an accepted watershed management plan and the applicant for funding is a municipality, a community water system, or a non-profit, lake or river watershed association.

(2) The applicant has demonstrated, to the satisfaction of the department, that low or no-cost solutions are neither viable nor effective.

(d) Award reimbursements to projects from the fund in a manner consistent with this chapter.

II. Every year beginning December 1, 2024, the department of environmental services shall prepare and file a report with the general court evaluating the progress made relative to mitigating cyanobacteria blooms, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the fund could be used to address cyanobacteria blooms.

485-A:60 Rules. The department of environmental services shall adopt rules, under RSA 541-A, relative to administering cyanobacteria loan and grant programs for eligible projects.

485-A:61 Cyanobacteria Mitigation Loan and Grant Fund Established. There is hereby established in the department of environmental services the cyanobacteria mitigation loan and grant fund which shall be maintained by the state treasurer in distinct and separate custody from all other funds. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services. The cyanobacteria mitigation loan and grant fund shall be used to fund loans, grants, and reimbursements in accordance with this subdivision. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds shall be credited to this fund.

434 New Subparagraph; Cyanobacteria Mitigation Loan and Grant Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the cyanobacteria mitigation loan and grant fund established in RSA 485-A:61.

435 Appropriation; Department of Environmental Services. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of environmental services for deposit into the cyanobacteria mitigation loan and grant fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

436 Effective Date. Section 435 of this act shall take effect June 30, 2023.

437 Committee Established. There is established a committee to study the impact on SNAP and Medicaid changes on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs.

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438 Membership and Compensation.

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

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

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

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

439 Duties. The committee shall study the impact on free or reduced-price meal average daily membership in residence (ADMR) used in state education aid programs in the following ways:

I. Relative to the recent expansion of categorical eligibility for the Supplemental Nutrition Assistant Program (SNAP) from 185% to 200% of federal poverty level.

II. If the state of New Hampshire should apply to participate in the demonstration projects to evaluate direct certification with Medicaid administered by the United States Department of Agriculture (USDA).

III. If the income eligibility under RSA 189:1-a, I(a), relative to free school meals, should be expanded.

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

441 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

442 Effective Date. Sections 437 through 441 of this act shall take effect upon its passage.

443 Youth Detention Center; Construction Funds. Notwithstanding any other act of the legislature or law to the contrary, any secured treatment facility constructed to replace the current Sununu Youth Services Center shall be funded entirely with federal discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which have previously been allocated by the governor but which have not been expended. No state general funds shall be appropriated for the purpose of constructing the replacement facility and any funds appropriated to the project shall not be transferred or used for any other purpose.

444 Department of Health and Human Services; Family Resource Centers; Appropriations.

I. The following amounts are appropriated to the department of health and human services :

(a) The sum of $2,000,000 for the state fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025.

(b) The sums of $1,000,000 for the state fiscal year ending June 30, 2024 and $1,000,000 for the state fiscal year ending June 30, 2025.

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II. The amounts appropriated in paragraph I shall be to support family resource center (FRC) infrastructure. The appropriations shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds shall include, but not be limited to, better serving families, preparing for FRC-Q designation, enhancing coordination with other early childhood systems, and supporting evidence-based programs such as home visiting programs, ACERT, and community collaborations. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

444-a Effective Date. Subparagraph I(a) of section 444 shall take effect June 30, 2023.

445 Department of Health and Human Services; System of Care; Appropriation. There is hereby appropriated to the department of health and human services the sum of $16,500,000 for the biennium ending June 30, 2025, to support residential treatment provider rates as a component of the system of care. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

446 Department of Administrative Services; Scheduling Software. Any remainder of the sum appropriated in class 038 to the department of administrative services for the purpose of obtaining and implementing scheduling software shall not lapse until June 30, 2025.

447 Effective Date. Section 446 of this act shall take effect June 30, 2023.

448 Appropriation; Building Maintenance Fund. The sum of $3,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-I:11-d to address deferred maintenance for state-owned buildings. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

449 Effective Date. Section 448 of this act shall take effect June 30, 2023.

450 Appropriation; Department of Administrative Services. The sum of $1,200,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of administrative services for the purpose of moving and fit up costs for state agencies. Such funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

451 Effective Date. Section 450 of this act shall take effect June 30, 2023.

452 Appropriation; Building Maintenance Fund. The sum of $4,600,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-I:11-d for the state house annex renovations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

453 Effective Date. Section 452 of this act shall take effect June 30, 2023.

454 Appropriation; Department of Administrative Services; Circuit Court Facility; Purchase of Land. The location for siting of the new seventh circuit court facility shall be in the city of Rochester, New Hampshire identified on map 0255, lot 0021-0001 on November 1, 2022.

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Notwithstanding any other provision of law the state, through the department of administrative services, shall be permitted to enter into an agreement to acquire the property from Rochester for the sum of $1.00 and the sum of $1.00 is hereby appropriated to the department of administrative services for the biennium ending June 30, 2025 for the purpose of purchasing the land from the city of Rochester identified on map 0255, lot 0021-0001 on November 1, 2022. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

455 Sale of Land; Department of Administrative Services; Circuit Court Facility. Notwithstanding any other provision of law, the state, through the department of administrative services, shall be permitted to enter into an agreement to sell property and facility to the city of Rochester where the current seventh circuit court facility is located on map 0121, lot 0016-0000 on October 1, 2022 for the sum of $1.00. The sale of the current courthouse and land shall not occur until the new seventh circuit court facility is constructed, furnished, and operating.

456 Public Officers and Employees; Compensation of Certain State Officers; Health and Human Services Review; Certain Unclassified Employees. Amend RSA 94:1-f, II to read as follows:

II. The commissioner of the department of administrative services shall submit the information to an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified state officers for those positions where the position title does not accurately reflect the job responsibilities. The consultant shall assess the recommended allocation, recommend an alternate allocation, if necessary, and include the reasoning for such allocation in its report. The commissioner shall submit the consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter grade allocation. The department of health and human services shall make a contribution from [~~salary line appropriations~~] ***an existing appropriation*** to the salary adjustment fund pursuant to RSA 99:4 to reimburse for the cost associated with the review of each position.

457 Department of State; Appropriation. The sum of $90,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of state for the purpose of updating annual software subscriptions and additional programing costs for the high-speed scanners enabling additional Accuvote audits to be conducted. Such funds shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

458 Effective Date. Section 457 of this act shall be effective June 30, 2023.

459 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b) to read as follows:

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the

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member's average final compensation multiplied by the number of years of creditable service. After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service. Provided, however, that a group I member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60 if the member has at least 30 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 65 years of age, by 1/4 of one percent.

460 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(b)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** ordinary disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** ordinary disability retirement;

461 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(d)(1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

(B) After attainment of [~~age 65~~] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of [~~his~~] ***their*** accidental disability retirement multiplied by the number of years of creditable service at the time of [~~his~~] ***their*** accidental disability retirement;

462 New Subdivision; New Hampshire Housing Champion Designation and Grant Program. Amend RSA 12-O by inserting after section 70 (InvestNH) the following new subdivision:

New Hampshire Housing Champion Designation and Grant Program

12-O:71 New Hampshire Housing Champion Designation.

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I. The department shall develop a New Hampshire housing champion designation program for all qualifying municipalities. The New Hampshire housing champion designation program shall be voluntary. Each municipality shall have the option, in its sole discretion, to apply to the department to receive the New Hampshire housing champion designation. In exchange for New Hampshire housing champion designation, a municipality shall receive preferential access to state resources including, but not limited to, discretionary state infrastructure funds, as available.

II. The department shall adopt rules to establish qualifications and procedures for a municipality to receive the New Hampshire housing champion designation. The designation procedure shall be based on a scoring system.

III. Qualifications to receive the New Hampshire housing champion designation shall include:

(a) Adoption of such land use regulations and ordinances which the department determines to be necessary to promote the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state. In this subdivision, "land use regulations and ordinances" may include, but are not limited to, zoning ordinances adopted pursuant to RSA 674:16, innovative land use controls adopted pursuant to RSA 674:21, subdivision regulations adopted pursuant to RSA 674:35, and site plan regulations adopted pursuant to RSA 674:43.

(b) Training of planning board and zoning board of adjustment members using training materials and programs, including online materials and programs, provided by the department pursuant to RSA 673:3-a; or training materials and programs, including online materials and programs, provided by the New Hampshire Municipal Association, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves; or any other training materials and programs, including online materials and programs, approved by the department, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves.

(c) Implementation of sewer and water infrastructure improvements intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

(d) Implementation of public transportation, sidewalks, or other walkability infrastructure intended to support the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state.

IV. Qualifications to receive the New Hampshire housing champion designation may also include, but are not limited to adoption of financial tools that incentivize the development of workforce housing, including adoption of the community revitalization tax relief incentive program under RSA 79-E and establishment of municipal economic development and revitalization districts under RSA 162-K.

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V. Municipalities that receive a New Hampshire housing champion designation shall annually report in a form required by the department. The annual report shall include such measures as the department may determine, including but not limited to land use board applications and approvals and building permits.

VI. A New Hampshire housing champion designation shall be valid for 3 years from the date such designation is awarded. A municipality may seek renewal of its New Hampshire housing champion designation for subsequent 3-year periods. The department shall include in the criteria for renewal performance metrics including, but not limited to, the qualifications listed in paragraphs III and IV.

VII. Each year the department shall develop a report which describes all actions taken related to the operation of the New Hampshire housing champion designation program in the preceding state fiscal year and assesses the overall impact of the New Hampshire housing champion designation program, including an assessment of the additional housing units produced in the state as a result of the program's operation and incentives. The report required by this paragraph shall be submitted to the governor, the speaker of the house of representatives, and the president of the senate on or before November 1 of each year, beginning in 2024, and upon such submission, the report shall be posted online on the website of the department.

12-O:72 Housing Planning and Regulation Municipal Grant Program. The department shall establish a grant program for municipalities to assist them in promoting increased housing production. Subject to availability of funding, the department shall make grants to any municipality for the purpose of consultation or implementation of revising their master plans and land use regulations for the purpose of promoting the production of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state, and to assist them to become eligible for New Hampshire housing champion designation pursuant to RSA 12-O:69. The department shall adopt rules establishing grant eligibility criteria, grant maximums, and grant program administration.

12-O:73 Champion Benefits. A municipality which has received designation as a housing champion shall be eligible, subject to the rulemaking in RSA 12-O:75, for the following benefits:

I. Housing production municipal grant program. The department shall establish a grant program for municipalities that have made a commitment to facilitating increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality with such a designation on a per-unit basis for workforce housing units for which certificates of occupancy have been issued by the municipality in the preceding state fiscal year. The department shall adopt rules establishing eligibility criteria, per-unit grant maximums, maximum grants per project, a maximum amount that may be granted to any municipality in a year, and grant program administration.

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II. Housing infrastructure municipal grant and loan program. The department shall establish a grant program for municipalities that are seeking to build infrastructure that will accommodate increased housing production. Municipalities that are designated by the department as New Hampshire housing champion communities will be eligible to apply for the grants. Subject to availability of funding, the department shall make grants to any municipality, or support the creation of low-interest loan programs for any municipality, with such a designation to provide at least matching funding, as a grant, or all funding, as a loan, for new construction or capacity increases for drinking water, sanitary sewer, stormwater, highway infrastructure, telecommunications, and electrical distribution infrastructure. The department shall adopt rules establishing eligibility criteria, grant maximums, a maximum amount that may be granted to any municipality in a year, and grant program administration.

12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is hereby established in the state treasury the New Hampshire housing champion designation and grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72 and, RSA 12-O:73. The fund shall be non-lapsing and shall be continually appropriated to the department.

12-O:75 Administrative Rules. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024. During the rulemaking process, the department shall consult with relevant state agencies and entities that administer the programs and funds identified under RSA 12-O:73, II to ensure the rules for the New Hampshire housing champion designation program are not in conflict with the rules of these state agencies and entities.

12-O:76 Program Advisory Committee. The department shall establish a New Hampshire Housing Champion program advisory committee to review and make recommendations on initial rules proposed pursuant to RSA 12-O:75. Members of the program advisory committee shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board. The program advisory committee shall consist of:

(a) One member of the senate, appointed by the senate president.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) The commissioner of the department of business and economic affairs, or designee.

(d) The executive director of the New Hampshire housing finance authority, or designee.

(e) The executive director of the community development finance authority, or designee.

(f) Two members appointed by the New Hampshire Municipal Association, one representing a city and one representing a town.

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(g) One member appointed by the New Hampshire Association of Regional Planning Commissions.

(h) One member appointed by the New Hampshire Planners Association.

463 Repeal. RSA 21-O:76, relative to the program advisory committee, is repealed.

464 Positions Established. The following positions are established within the department of business and economic affairs for the purpose of administering the New Hampshire housing champion designation and grant program established pursuant to RSA 12-O:71 through 12-O75:

Administrator II.

Program Specialist IV.

Principal Planner.

465 Application of Receipts; Dedicated Funds. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire housing champion designation and grant program fund established in RSA 12-O:74.

466 Appropriation; Housing Champion Designation and Grant Program Fund. The sum of $5,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the New Hampshire housing champion designation and grant program fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriate.

467 Effective Date.

I. Section 463 of this act shall take effect July 1, 2033.

II. Section 466 of this act shall take effect June 30, 2023

468 New Subdivision; Commission to Study Hospitality and Tourism Education in New Hampshire. Amend RSA 187-A by inserting after section 44 the following new subdivision:

Commission to Study Hospitality and Tourism Education in New Hampshire

187-A:45 Commission to Study Hospitality and Tourism Education in New Hampshire.

I. There is established a commission to study hospitality and tourism education in New Hampshire. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The president of the New Hampshire Restaurants and Lodging Association, appointed by that association.

(d) One owner or operator of a restaurant in New Hampshire, appointed by the governor.

(e) One owner or operator of a hotel or inn in New Hampshire, appointed by the governor.

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(f) One representative from the New Hampshire community college system, appointed by the chancellor.

(g) One representative from the New Hampshire university system, appointed by the chancellor.

(h) A representative from a career and technical Education center (CTE), appointed by the commissioner of the department of education.

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

III. The commission shall:

(a) Examine existing hospitality and tourism programs and community colleges and universities statewide, including curriculum and enrollment trends.

(b) Work with appropriate state agencies including the department of natural and cultural affairs, division of travel and tourism, to determine state needs and how those needs are being met by the tourism and hospitality programs in the university system and the community college system.

(c) Work with other state agencies, as needed.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

VI. The commission shall be administratively attached to the department of business and economic affairs, division of travel and tourism development.

469 Repeal. RSA 187-A:45, relative to a commission to study hospitality and tourism education in New Hampshire, is repealed.

470 Effective Date.

I. Section 469 of this act shall take effect November 1, 2023.

II. Section 468 of this act shall take effect upon its passage.

471 Liquor Commission Funds; Alcohol Abuse Prevention and Treatment Fund. Amend RSA 176:16, III to read as follows:

III. Five percent of the [~~previous~~] ***preceding*** fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire ***annual*** comprehensive [~~annual~~] financial report, statement of revenues, expenses,

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and changes in net position for proprietary funds. ***Such deposit shall be processed in 2 installments as follows:***

(a) The commission shall process the initial deposit on or before August 1st of the ensuing fiscal year. Such deposit shall be calculated based on an estimate of the preceding fiscal year gross profit derived by the commission from the sale of liquor.

(b) Upon issuance of the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the commission shall process a second and final deposit or adjustment.

(c) If the amount of the initial deposit exceeds the final amount calculated based on the audited annual comprehensive financial report pursuant to RSA 21-I:8, II(a), the comptroller shall transfer the excess amount from the alcohol abuse prevention and treatment fund established by RSA 176-A:1 to the liquor fund.

472 Appropriation; Liquor Commission; Handheld Personal Computers. The sum of $400,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the liquor commission for the purchase of handheld personal computers for use at the commission's retail stores. This appropriation shall not lapse. Said appropriation shall be a charge against the liquor commission fund under RSA 176:16.

473 Effective Date. Section 472 of this act shall take effect June 30, 2023.

474 Legislative Findings. Electric vehicles contribute to the reduction of air pollution in New Hampshire and serve an important role in transitioning the transportation sector to clean energy. Electric vehicles will be a component in the use of battery storage in transactive distribution networks to reduce energy costs and add resilience to the New Hampshire distribution and transmission network. Electric vehicle service equipment availability promotes tourism as well as adoption of electric vehicles by New Hampshire consumers. The adoption of electric vehicles will lead to a decline in New Hampshire road toll revenues derived from transportation fuel taxation, so there should be a fee for electric vehicles to offset these losses of revenue.

475 New Section; Vehicle Registration Fee to be Collected. Amend RSA 261 by inserting after section 141-b the following new section:

261:141-c Electric Vehicle Registration Fee to be Collected.

I. Battery electric vehicles, as defined in RSA 236:132, I, shall be assessed a surcharge of $100 on annual registration, and plug-in hybrid vehicles, as defined in RSA 236:132, V shall be assessed a surcharged of $50, to be deposited in the highway fund. The department of safety, division of motor vehicles shall determine necessary procedures for determining vehicles subject to this surcharge.

II. The division of motor vehicles and the department of transportation shall report annually on or before January 1 of each year to the New Hampshire transportation council, speaker, president, and chairs of house and senate transportation committees on the surcharge revenue.

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476 Auxiliary State Police. Amend RSA 106-B:19 to read as follows:

106-B:19 Auxiliary State Police. The director is authorized to recruit, train, and organize an auxiliary state police force [~~of not more than 16 persons~~] for the purpose of providing emergency services throughout the state for peacetime or wartime emergencies or threatened emergencies and for augmenting the state police force in such manner as the director may deem appropriate. Notwithstanding other provisions the director may recruit such auxiliary force from retired state or local police. Such auxiliary force shall at all times be under the direction and control of the said director and shall be subject to rules adopted by the director under RSA 541-A and shall be limited to specific hours in any given calendar year for part-time police officers adopted in rules under RSA 541-A by the police standards and training council, pursuant to RSA 106-L:6, III.

477 New Sections; Northern Border Alliance Program. Amend RSA 21-P by inserting after section 68 the following new sections:

21-P:69 Northern Border Alliance Program.

I. The commissioner of safety shall establish a northern border alliance program which shall make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police for the following purposes:

(a) Overtime costs for officers performing law enforcement activities under this program.

(b) Equipment for use in performing law enforcement activities under this program.

(c) Training costs, including overtime backfill, for officers participating in this program.

II. The commissioner shall establish protocols and conditions for increased state police patrols and conditions for eligibility for grants to other state, county, and local law enforcement agencies. The protocols and conditions shall focus on reducing the instance of crimes and illicit activity occurring within 25 air miles from the Canadian border. The protocols and conditions shall:

(a) Establish state police as the lead agency for scheduling patrol and coordination with participating agencies.

(b) Ensure that officers assigned to patrols are relieved of taking calls for service absent an emergency.

(c) Ensure that the officers assigned to such patrol units have been trained on state and, if applicable, federal policies, laws and constitutional provisions.

III. The program shall include the following prohibitions on allowable uses of funds:

(a) No funds shall be granted for "purchase of evidence" or for "confidential funds."

(b) No funds shall be used for supplanting locally budgeted and approved funds for routine law enforcement.

IV. The program shall include semi-annual reporting, to the governor, senate president, and speaker of the house of representatives, which includes measurable program results and a detailed accounting of program funding and uses. The first report shall be submitted on or before December 31, 2023.

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21-P:70 Northern Border Alliance Fund.

I. There is hereby established the northern border alliance fund within the department of safety for the purpose of make grants available to other state, county, and local law enforcement agencies, and also provide funding for the division of state police to reduce the instance of crimes and illicit activity in close proximity to the Canadian border. All moneys in the fund shall be nonlapsing and continually appropriated to the department of safety.

II. The fund shall be overseen by the commissioner of the department of safety who shall, within 180 days of the effective date of this section, establish a process for the application for grants from the fund. Such process shall be established in rules adopted in accordance with RSA 541-A.

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

478 Appropriation; Department of Safety; Northern Border Alliance Program.

I. The sum of $1,435,384 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of safety and shall be nonlapsing. This sum shall be expended as follows:

(a) $619,641 shall be expended by state police for the purpose of funding overtime patrols, related training activities and purchase equipment in support of the northern border alliance program.

(b) The sum of $815,743 is hereby appropriated to the department of safety to disburse grants to other state, county, and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the northern border alliance program established in RSA 21-P:69.

II. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

479 Effective Date. Section 478 of this act shall take effect on June 30, 2023.

480 Authority and Duties of Police Employees. Amend RSA 106-B:12 to read as follows:

106-B:12 Authority and Duties of Police Employees. Police employees shall be ex-officiis constables throughout the state. They shall have statewide authority to enforce all provisions of RSA title XXI relative to motor vehicle laws and the regulations relative to the transportation of hazardous materials, pursuant to RSA 106-A:18 and RSA 106-B:15. The director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police employee shall apprehend any person who has committed or attempted to commit a felony the director shall immediately make a report to the attorney and the sheriff of the county and the chief of police of the municipality in which the offense was, or was

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suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees. ***Further, police employees acting within 25 air miles of the international border with Canada, shall have the same authority and powers granted to forest rangers and officials of the division of forests and lands pursuant to RSA 227-G:7 and RSA 227-G:8.***

481 Adjustment of Salaries of State Employees; New Hampshire State Troopers. Amend RSA 99:10-a to read as follows:

99:10-a New Hampshire State Troopers. Classified New Hampshire state troopers of the division of state police shall be paid in addition to their regular salary a differential pay in the amount [~~of $25 per week unless otherwise~~] collectively bargained. ***Unrepresented state troopers shall receive differential pay authorized by the most closely aligned bargaining unit.***

482 Appropriation; Department of Safety; Protective Glass Installation. The sum of $100,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

483 Effective Date. Section 482 of this act shall take effect June 30, 2023.

484 New Subparagraph; Department of Justice; Consumer Protection and Antitrust Bureau. Amend RSA 21-M:9, II by inserting after subparagraph (u) the following new subparagraph:

(v) Investigating and enforcing privacy and security of personal information and data privacy rights.

485 The Attorney General; Disposition of Consumer Protection Settlement Funds. Amend RSA 7:6-f to read as follows:

7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim, suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be deposited in a consumer protection escrow account. The consumer protection escrow account shall at no time exceed [~~$5~~] $***6*** million, with any amount in excess of [~~$5~~] ***$6*** million deposited into the general fund, except as otherwise provided in RSA 126-A:83. The attorney general shall not include language in any consumer protection settlement that restricts any payments to the state for attorneys' fees, investigation and litigation costs, consumer education, or consumer protection enforcement to the consumer protection escrow account or any other account or fund.

486 Effective Date. Section 485 of this act shall take effect July 1, 2024.

487 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, I(g) to read as follows:

(g) "[~~Investigator~~] ***Fact facilitator***" means one or more individuals assigned by the administrator to independently investigate a claim.

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488 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, VIII (c)-(f) to read as follows:

(c) Once a claim is considered complete, the AG designee shall have 30 days to indicate to the claimant and the administrator its position regarding the claim. The AG designee may agree or disagree with the claim in whole or in part, and shall indicate whether he or she believes the claim should be referred to [~~an investigator~~] ***a fact facilitator***. The administrator may grant the AG designee an extension of time to indicate its position for good cause shown.

(d) Following receipt of the AG designee's position, the administrator may refer a claim to [~~an investigator~~] ***a fact facilitator*** if, in the administrator's independent judgment, an investigation is needed. The administrator shall direct the investigator as to any particular aspects of the claimant's claim for which the administrator seeks further information or verification, and in such case, the investigation shall be limited to that scope. If the administrator elects not to refer a claim to [~~an investigator~~] ***a fact facilitator***, then the administrator shall so notify the AG designee and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG designee's position, to request the administrator decide the claim, or to withdraw his or her claim from further processing. Within 30 days of receiving the position of the AG designee, the claimant shall indicate to the administrator and the AG designee whether he or she agrees with the AG designee's position, whether he or she wishes for the administrator to decide the claim, or whether he or she wishes to withdraw his or her claim from further processing. In the absence of an indication from the claimant, the administrator may assume that the claimant is in agreement with the position of the AG designee.

(e) The purpose of an investigation shall be to verify a claim, as submitted, if possible. The investigation shall, to the greatest extent possible, be conducted in a trauma-informed, respectful, and dignified manner. The investigation may include an interview of the claimant, which may be conducted under oath and recorded. The [~~investigator~~] ***fact facilitator*** may also request to review additional records related to the claim. The claimant shall be entitled to the assistance of an advocate in connection with the investigation process who shall be allowed to accompany the claimant during any interview. The claimant shall execute such documents or authorizations as may be necessary to permit the [~~investigator~~] ***fact facilitator*** to access records. If the claimant is represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A claim may be denied if a claimant refuses to cooperate with the investigation. Except in extraordinary circumstances, investigations should be completed within 90 days of referral.

(f) The [~~investigator~~] ***fact facilitator*** shall present a report to the administrator of his or her findings, which shall include a summary of any interviews conducted or records gathered, a copy of any such supporting documentation, records and recordings. The administrator shall provide a copy of the [~~investigator's~~] ***fact facilitator's*** report and supporting documentation to the claimant and the AG designee once received.

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489 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, IX(a) to read as follows:

IX.(a) When a claimant requests that the administrator decide the claim, the administrator shall schedule the claim for a resolution proceeding according to the procedures approved by the joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire, although parties and witnesses may attend by telephone or video conference in the discretion of the administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order that they are received and determined to be complete, except that the administrator may also give consideration to the time for which litigation may have been pending prior to the filing of a claim. ~~[By requesting a resolution proceeding,]~~ ***When a claimant accepts the administrator's decision on the claim,*** a claimant fully waives his or her right to seek other or additional monetary relief in any forum from the state of New Hampshire or any of its agents or employees, or from any of its political subdivisions or their agents or employees arising out of or relating to any incidents which are or could have been the subject of a claim, except that the claimant does not waive his or her right to seek or continue to seek relief in any forum from an individual whose direct, personal actions constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers, releases, or other documents as a condition of scheduling a resolution proceeding, provided that such documents expressly preserve the right to pursue claims against individual perpetrators as described.

490 New Sections; Health Care Consumer Protection Trust Fund and Advisory Commission. Amend RSA 7 by inserting after section 6-f the following new sections:

7:6-g Health Care Consumer Protection Trust Fund Established.

I. In this section:

(a) "Acquisition transaction" or "acquisition" means transfer of control, direct or indirect, of a health care organization, or of 25 percent or more of the assets thereof, including, but not limited to, purchases, mergers, leases, gifts, consolidations, exchanges, joint ventures, or other transactions involving transfer of control or of 25 percent or more of assets. However, changes in membership of the governing body of a health care organization occurring through regular election or filling of vacancies in accordance with the bylaws thereof do not of themselves constitute acquisition transactions within the meaning of this section.

(b) "Health care organization" means an entity organized to provide health care services including, but not limited to, hospitals, community health services, and medical-surgical or other diagnostic or therapeutic facilities or services, or an entity operating as a health insurer or health maintenance organization.

II. There is hereby established in the state treasury, the health care consumer protection trust fund that shall be kept separate and distinct from all other funds. All proceeds received by the

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state from any settlement, judgment, or other resolution related to any acquisition or acquisition transaction shall be deposited into the trust fund, provided that any proceeds obtained to reimburse the department of justice pursuant to RSA 356:4-b, or RSA 358-A:6, IV for all costs related to the review, investigation, or litigation of any acquisition or acquisition transaction may be deposited in appropriate funds as designated by the attorney general. The fund may also receive moneys through private contributions or appropriations from the general court. Any amount received in connection with an acquisition or acquisition transaction that would have been deposited into the general fund under RSA 7:6-e or RSA 7:6-f shall be deposited into the trust fund. All moneys in the trust fund shall be nonlapsing and continually appropriated to the department of justice. Any earnings on trust fund moneys shall be added to the trust fund.

III. The attorney general shall administer the health care consumer protection trust fund and may only expend funds in the trust fund upon approval by the health care consumer protection advisory commission established in RSA 7:6-h and the governor and council.

IV. Funds from the health care consumer protection trust fund shall be expended solely for the purpose of benefiting health care consumers in the state and in accordance with any relevant terms of the settlement, judgment, or other resolution by which the funds were received. Expenditures from the trust fund may include, but are not limited to, expenditures by the department of justice, grants to state agencies, grants to municipalities, or grants to non-governmental recipients.

V. The attorney general may, if necessary, negotiate terms in a settlement, judgment, or other resolution that specify a particular use or reasonable restrictions for funds deposited into the health consumer protection trust fund, provided that any specified use must be one that benefits health care consumers in the state.

7:6-h Health Care Consumer Protection Advisory Commission Established.

I. There is hereby established the health care consumer protection advisory commission, which shall consult with and advise the attorney general relative to the proper administration and management of the health care consumer protection trust fund, as established in RSA 7:6-g, and shall approve all expenditures from that trust fund.

II. The commission shall consist of the following members:

(a) The attorney general, or designee.

(b) The commissioner of the department of health and human services, or designee.

(c) The commissioner of the department of insurance, or designee.

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

(e) One member of the senate, appointed by the president of the senate.

(f) Two public members with experience in the health care industry, appointed by the governor.

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III. Each member of the advisory commission shall have one vote, with all actions being taken by an affirmative vote of the majority of present members. Four members shall constitute a quorum. The advisory commission shall elect a chair and vice-chair from among its members. Public members of the advisory commission shall serve 2- year terms.

IV. Members of the advisory commission shall receive no compensation except for legislative members who shall receive the legislative rate for mileage when attending to their duties on the commission.

V. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A and take place as necessary to ensure efficient and responsible expenditure of funds.

VI. The department of justice shall provide administrative support to the advisory commission.

491 Appropriation; Department of Justice. The sum of $500,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of justice for the purpose of supporting functions identified by the assessment to combat human trafficking in the state, including but not limited to investigation, prosecution, and victim services. Funds may be utilized for grants made to state agencies, municipalities, or non-governmental recipients. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

492 Appropriation. Department of Justice; New Hampshire Child Advocacy Centers. There is hereby appropriated to the department of justice the sum of $3,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025 and shall be for the purpose of funding the New Hampshire child advocacy centers. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

493 Effective Date. Section 492 of this act shall take effect June 30, 2023.

494 New Hampshire Internet Crimes Against Children Task Force; Appropriation. The sum of $800,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire internet crimes against children fund established in RSA 21-M:17 for the purpose of hiring a cybertip manager, increasing hours dedicated to the task force's mission for the investigators who are also employed by affiliate agencies, adding an investigator to cover Grafton and Coos counties, and adding an investigator to cover Cheshire and Sullivan counties, including equipment necessary to outfit some of the added affiliate agencies with computer and software equipment so they may contribute to NHICAC's overall mission. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

495 Effective Date. Section 494 of this act shall take effect June 30, 2023.

496 Appropriation; Police Standards and Training. The sum of $350,000 in the fiscal year ending June 30, 2023, is hereby appropriated to the police standards and training council for the purpose of funding a court security officer training program and related part-time positions. This

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appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

497 Effective Date. Section 496 of this act shall take effect June 30, 2023.

498 Appropriation; Judicial Council; Public Defender Program. The sum of $5,600,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for the public defender program. The sum of $1,200,000 is hereby appropriated to the judicial council for the fiscal year ending June 30, 2023, for the purpose of funding any increases in contract costs for contract counsel. Said sums shall not lapse until June 30, 2025. The judicial council shall report the amounts allocated pursuant to this section to the fiscal committee of the general court within 30 days of said allocation. The report shall include an explanation of the reasons for the need for additional funds in each fiscal year and the sums expended for these purposes during the previous 2 biennia.

499 Effective Date. Section 498 of this act shall take effect June 30, 2023.

500 Criminal Procedure in Superior Court; Drug Courts or Alternative Drug Offender Programs. Amend RSA 592-B:9, I(c) to read as follows:

(c) The cost of the drug court or alternative drug offender program shall not exceed [~~$490,000~~] ***$612,500*** per judicial district in a large county, [~~$300,000~~] ***$375,000*** in a medium county, and [~~$200,000~~] ***$250,000*** in a small county, based on the number of court filings in each judicial district and subject to annual review by the chief justice of the superior court.

501 OHRVs; Online Payment of Fees. Amend RSA 215-A:45 to read as follows:

215-A:45 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

502 Snowmobiles; Online Payment of Fees. Amend RSA 215-C:59 to read as follows:

215-C:59 Online Payment of Fees. The executive director shall, no later than September 1, 2025, establish any procedures that may be necessary to enable the online payment of ***both initial and renewal*** registration fees required or imposed under this chapter.

503 Appropriation; Fish and Game Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the fish and game fund. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

504 Effective Date. Section 503 of this act shall take effect June 30, 2023.

505 Department of Natural and Cultural Resources; Division of Parks and Recreation; Bureau of Trails; Grant-in-Aid. For the biennium ending June 30, 2025, and notwithstanding any provision of law or administrative rule to the contrary, the limitations on percentages of grant-in-aid administered by the department of natural and cultural resources, division of parks and recreation,

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bureau of trails, for the development and maintenance of OHRV trails on private, municipal, state, or federal lands shall be as follows:

I. For the grant period of June 1, 2023 to May 31, 2024:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

II. For the grant period of June 1, 2024 to June 30, 2025:

(a) Eighty percent of the cost of renting equipment required to complete a project.

(b) Sixty percent of the cost of purchasing trail grooming equipment.

(c) Eighty percent of the cost of reconditioning trail grooming equipment.

(d) Eighty percent of the cost of operations for summer trail grading.

506 Appropriation; Department of Natural and Cultural Resources; Hampton Beach State Park.

I. The sum of $150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of natural and cultural resources to conduct a feasibility study relative to improving accessibility for people with disabilities to Hampton Beach State Park while factoring in the wildlife and environmental impact. Said funds shall be continually appropriated to the department and shall not lapse until June 30, 2025.

II. The feasibility study shall include recommended locations and specified options for improving accessibility, including, but not limited to, the construction of an accessible walking pier. The study shall also include wildlife and environmental impacts for the recommended locations. The department of natural and cultural resources shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

507 Effective Date. Section 506 of this act shall take effect June 30, 2023.

508 Appropriation; Department of Natural and Cultural Resources. There is hereby appropriated to the department of natural and cultural resources the sum of $1,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of making renovations and repairs to the Northwood Meadows Lake Dam. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

509 Effective Date. Section 508 of this act shall take effect June 30, 2023.

510 Appropriation; Cannon Mountain Tramway. The sum of $18,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, is hereby appropriated to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

511 Effective Date. Section 510 of this act shall take effect June 30, 2023.

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512 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of $15,000,000 for the fiscal year ending June 30, 2026, and the sum of $15,000,000 for the fiscal year ending June 30, 2027, which shall be nonlapsing, for the purpose of making payments to communities for projects that have previously been awarded state aid grant funding for eligible and completed wastewater infrastructure projects per RSA 486 as approved by the governor and executive council. Any remaining funds not used for making payments on existing grants may be used to award new grants. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

513 Effective Date. Section 512 of this act shall take effect July 1, 2025.

514 Department of Environmental Services; Appropriation. The sum of $9,700,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for the purpose of funding a new drinking water transmission main between the existing Nashua Core water distribution system and the existing Litchfield water distribution system, including all ancillary projects needed, including, but not limited to booster pumping stations, directional drilling under the Merrimack River, and all associated design and construction permits. This sum shall be nonlapsing. No public utility ratepayer shall be adversely affected by any direct or indirect costs to bring drinking water to any community through any project funded by this appropriation. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

515 Effective Date. Section 514 of this act shall take effect June 30, 2023.

516 Pollution Prevention Coordinator. Amend RSA 21-O:16 to read as follows:

21-O:16 Pollution Prevention Coordinator. There is established in the [~~office of the commissioner,~~] department of environmental services[~~,~~] the position of state pollution prevention coordinator. The coordinator shall be a classified employee qualified by reason of education and experience. It is the intent of the legislature that coordination of pollution prevention efforts shall complement and reinforce existing state, federal, local, and private pollution prevention efforts.

517 Appropriation; Support of Regional Fisheries Alongside Offshore Wind Energy Development. The sum of $10,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of environmental services for New Hampshire's portion of an effort being led by 11 Atlantic Coast states to sustain a vibrant fishing community that can coexist and thrive alongside offshore wind energy development; the group's efforts are being organized by the Consensus Building Institute and are focused on the establishment of a regional fisheries compensation fund administrator which is a vital component to being able to financially compensate any commercial fisheries negatively impacted by the deployment of offshore wind in the Gulf of Maine or any other body of water. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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518 Appropriation; Business Network for Offshore Wind Membership. The sum of $30,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of energy for the purpose of funding New Hampshire membership fees for calendar years 2023, 2024, and 2025 in the Business Network for Offshore Wind. By joining the network, New Hampshire state agencies working on the potential of offshore wind in the Gulf of Maine will have access to the international offshore wind industry and the other states and regional organizations in the United States exploring offshore wind to ensure New Hampshire has the ability and knowledge on how to pursue any opportunities for New Hampshire that will result from offshore wind in the Gulf of Maine. Membership will also provide New Hampshire with a new registry tool to identify the New Hampshire companies interested in offshore wind economic activities, access to the registries of other states, and access to the association's database of international supply chain data and international offshore wind economic activities data. The appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

519 Effective Date. Sections 517 and 518 of this act shall take effect June 30, 2023.

520 Department of Transportation; Municipal Bridges; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended for municipal bridges by municipalities with existing bridges in the fiscal year ending June 30, 2024. One half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's total bridge deck area per department inventory as of January 1, 2023. The other half of the funds ($5,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's share of total state population based on the office of planning and development's population estimate with each municipal population in proportion to the total population of the state as of July 1, 2022. The funds to be distributed under this section shall be in addition to all other state and federal aid specifically authorized by statute. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for bridge maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

521 Department of Transportation; "Apportionment A" Distributions; Appropriation. There is hereby appropriated to the department of transportation the sum of $10,000,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing and expended as additional "Apportionment A" distributions under RSA 235:23, I, in the fiscal year ending June 30, 2024. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted

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and approved funds for road maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

522 Effective Date. Sections 520 and 521 of this act shall take effect June 30, 2023.

523 Appropriation; Department of Transportation; Rural and Urban Transit Agencies. There is hereby appropriated the sum of $1,883,289 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of transportation for the purpose of providing a state operating match for rural and urban transit agencies to access additional available federal funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

524 Effective Date. Section 523 of this act shall take effect June 30, 2023.

525 Appropriation; Vehicle and Equipment Replacements. The sum of $4,786,036 in the fiscal year ending June 30, 2023, is hereby appropriated to the department of transportation for the purpose of vehicle and equipment replacements, including any associated outfitting costs. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

526 Effective Date. Section 525 of this act shall take effect June 30, 2023.

527 Department of Transportation; Appropriation; Eastern Slopes Regional Airport. The sum of $100,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of transportation, aeronautics division for the purpose of providing local matching funds for Federal Aviation Administration grants to support the Eastern Slopes Regional Airport, located in Fryeburg, Maine and serving Conway, New Hampshire. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

528 Effective Date. Section 527 of this act shall take effect June 30, 2023.

529 E-Z Pass Collection and Enforcement; Unpaid Tolls. Amend RSA 237:16-c, V to read as follows:

V. For effective toll collection enforcement, the department of transportation and the department of safety may accept a request from another state to [~~deny~~] ***suspend*** registration [~~renewal~~] privileges for a vehicle registration plate in accordance with RSA 263:56-f for unpaid tolls incurred in the other state, provided that the other state represents that the request is in keeping with criteria for [~~denial~~] ***suspension*** of registration [~~renewal~~] privileges as set forth in the states' respective reciprocal toll collection enforcement agreement. Any costs incurred for the implementation of software to effectuate reciprocal toll collection enforcement agreements shall be reimbursed from the turnpike fund.

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530 Public Awareness Campaign on Brain Health, Alzheimer's Disease, and Related Dementias. The department of health and human services, in partnership with the state commission on aging established in RSA 19-P:1, the health and human services oversight subcommittee on Alzheimer's and other related dementia established in RSA 126-A:15-a, the New Hampshire Medical Society, and the Alzheimer's Association, shall develop a public awareness campaign on brain health, Alzheimer's disease and related dementias, and incorporate the campaign into its existing, relevant public health outreach programs on an ongoing basis. In conjunction with the appropriate training entities, the public awareness campaign shall make informational materials available to:

I. Educate the health care community and the general public on the importance of early detection and timely diagnosis of cognitive impairment, clinically accepted and recognized cognitive assessment tools, and the value of a Medicare Annual Wellness visit for cognitive health; and

II. Increase public understanding and awareness of early warning signs of Alzheimer's disease and other types of dementia, the value of early detection and diagnosis, and how to reduce the risk of cognitive decline, particularly among persons in diverse communities who are at greater risk of developing Alzheimer's disease and other types of dementia; and

III. Inform the health care community and the general public of resources and services available to individuals living with dementia and their families and caregivers, in partnership with the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the New Hampshire Medical Society, and the Alzheimer's Association.

531 Appropriation; Department of Health and Human Services; Public Awareness Campaign on Brain Health, Alzheimer's Disease and Related Dementias.

I. The sum of $500,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purposes of hiring a contractor, through a competitive bidding process, to develop and implement a public awareness campaign on brain health, Alzheimer's disease and related dementias. This appropriation shall not lapse until June 30,2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department shall issue a request for proposals (RFP) on or before January 1, 2024, for the purposes of this section. The RFP shall provide for detailed outcome and performance measurements as well as a comprehensive evaluation and review of the overall effectiveness of the campaign and continuous monitoring on whether key goals for educational outreach have been achieved at benchmark periods during the campaign.

III. Furthermore, nothing in the campaign shall be construed or interpreted to expand the current continuing medical education requirements as set forth in RSA 329:16-g or to endorse a particular medical or therapeutic treatment or a specific pharmaceutical product or treatment.

532 Reporting Requirement; Public Awareness Campaign. On or before October 1, 2023, the department of health and human services shall submit a draft plan for review to the joint legislative

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oversight committee on health and human services established in RSA 126-A:13 prior to implementation of the public awareness campaign. Thereafter, beginning on January 1, 2024, the department shall provide quarterly progress reports to the oversight committee on the implementation of the campaign. At the conclusion of the public awareness campaign, the department shall submit a final report to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the state library, the oversight committee, the state commission on aging, the subcommittee on Alzheimer's and other related dementia, the senate committee on health and human services, the house committee on health, human services and elderly affairs, and the senate and house finance committees outlining the impact of the campaign and any related findings or recommendations for legislation on or before November 1, 2024.

533 Effective Date. Section 531 of this act shall take effect June 30, 2023.

534 Department of Health and Human Services. Appropriation; Child Care Programs.

I. The sum of $15,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of financing recruitment and retention bonus and benefit grants for New Hampshire child care employers. Said funds shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. Eligible child care programs shall be programs operating in New Hampshire with an active child care license or that are license-exempt and enrolled in the department of health and human services child care scholarship program. These programs shall include those who serve children from birth through age 12 and are also referred to as center-based, family-based, early childhood education, early learning, outside of school time, before and after school, and summer camp programs, as well as non-profit and privately-owned center-based and family-based child care programs.

III. The department shall develop and implement a grant application process for eligible programs, and may consider additional grant amounts for child care programs enrolled in or in preparation to enroll in the granite steps for quality in recognition of their extra effort and commitment to continuous quality improvement. Grant amounts shall be determined by the department after all applications have been received and approved.

IV. Grants received by the programs may be used in the following ways:

(a) Deposit into an eligible, tax-advantaged Health Savings Account or Flexible Spending Account;

(b) Mentor credentialing and support networks for mentors;

(c) Sign-on and/or retention incentives and/or wage increases;

(d) Professional costs such as training hours, CPR, or memberships in professional organizations;

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(e) Child care tuition assistance;

(f) Credit towards the employee's share of the cost of their health insurance plan;

(g) Paid time off equivalent;

(h) Child care tuition discount;

(i) Student loan repayment;

(j) Telemedicine coverage; or

(k) Payment towards a physical, first-aid certification, CPR certification, background check, or other credential required for the child care position.

V. If grant application requests exceed available funding, preference shall be given to eligible child care programs which are:

(a) Enrolled in New Hampshire's child care scholarship program; and

(b) Connected to the work of their related early childhood regional network, as determined by the department.

VI. The department of health and human services shall incorporate in its biennial appropriation request pursuant to RSA 9:4 an amount necessary to fully fund the child care workforce programs contained in this section.

535 Effective Date. Section 534 of this act shall take effect June 30, 2023.

536 Child Care Scholarship Program. For the biennium ending June 30, 2025, the department of health and human services shall modify the child care scholarship program by removing the parent cost-share for any eligible family at or below 100 percent of the federal poverty level and assigning a $5 per week cost share for families greater than 100 percent and at or below 138 percent. If at any time the commissioner determines that funding is insufficient to satisfy the requirements of this section, the commissioner shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

537 Appropriation; Department of Health and Human Services; Integrated Eligibility System. There is hereby appropriated the sum of $167,700 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of funding an audit of the integrated eligibility system. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

538 Effective Date. Section 537 of this act shall take effect June 30, 2023.

539 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $300,000 for the fiscal year ending June 30, 2024, and the sum of $300,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile

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diversion providers who provide diversion services pursuant to RSA 169-B:10. Any unexpended funds remaining from the appropriations made in 2019, 346:371 and 2021, 91:421 shall not lapse and may be used for the purposes of this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

540 Department of Health and Human Services; Juvenile Diversion; Supplemental Appropriation. The sum of $600,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of extending existing grants to the certified juvenile diversion providers who provide diversion services pursuant to RSA 169-B:10. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

541 Effective Date. Section 540 of this act shall take effect June 30, 2023.

542 Appropriation; Vaccine Administration. The sum of $20,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is appropriated to the department of health and human services for the purpose of providing funding to public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under the federal Section 317 Immunization Program. The governor is authorized to draw a warrant out of funds not otherwise appropriated.

543 Effective Date. Section 542 of this act shall take effect June 30, 2023.

544 Department of Health and Human Services; Rural Health and Primary Care; Report. On or before July 1, 2024, the department of health and human services shall submit a report with its findings and legislative recommendations to the chair of the senate health and human services committee, the chair of the house health, human services and elderly affairs committee, and the governor relative to implementing area health education centers and advanced training programs for rural health and primary care personnel including, but not be limited to, a rural residency program for family medicine physicians.

545 Appropriation; Department of Health and Human Services; Transitional Housing Beds. Amend 2021, 91:408 to read as follows:

91:408 Appropriation; Department of Health and Human Services; Transitional Housing Beds. There is hereby appropriated to the department of health and human services the sum of $6,000,000 for the fiscal year ending June 30, 2021, which shall be nonlapsing until [~~June 30, 2023~~] ***June 30, 2025***, for the purposes of increasing rates paid for transitional housing beds and for funding new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital, ***addressing emergency room boarding efforts, ensuring compliance with the community mental health agreement, and supporting behavioral health crisis response initiatives.*** In addition, any unspent funds from the appropriation made under 2019, 346:221 may be used for the purposes of this section. The

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governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

546 Effective Date. Section 545 of this act shall take effect June 30, 2023.

547 Department of Health and Human Services; Developmental Services; Pilot Program. Amend 2022, 272:9, V to read as follows:

V. [~~On or before February 1, 2023,~~] The department shall ***semi-annually*** provide a detailed report of the pilot program plan to the senate health and human services committee, the senate finance committee, the house children and family law committee, the house health, human services and elderly affairs committee, the house finance committee, the oversight committee on health and human services established in RSA 126-A:13, and the fiscal committee of the general court. The report shall include data on utilization, including the number of individuals seeking services in accordance with paragraph I, the number of individuals provided services as part of the pilot program, the types of specific services provided for each individual, the total cost of the services provided, ***the number of individuals who applied for funds each 6-month period, the number of applications approved, the number of applications denied and the reasons for denial,*** and other relevant information necessary to assess the pilot program for statewide expansion as part of the state budget for the biennium ending June 30, 2025.

548 Appropriation; Developmental Services; Pilot Program. Amend 2022, 272:9 VII to read as follows:

VII. There is hereby appropriated to the department of health and human services the sum of $2,800,000, for the fiscal year ending June 30, 2023, for the purpose of implementing the pilot program plan or the pilot itself, for developmental services established in this section. ***This appropriation shall not lapse until June 30, 2025.*** Additionally, the department may accept and expend any applicable federal funds, and any gifts, grants, or donations that may be available for the purposes of the pilot program. In the event of any remaining funds not otherwise expended after reaching the cap of serving 20 eligible individuals under the pilot program, the department may allocate funding and provide services to additional eligible individuals. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

549 Effective Date. Sections 547 and 548 of this act shall take effect June 30, 2023.

550 Appropriation; Department of Health and Human Services; Family Mutual Support Services. The sum of $50,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services, account 05-95-092-922010-4119, class 102, for the purpose of helping family mutual support providers keep pace with the cost of service provision. This sum shall be in addition to any other amounts appropriated and shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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551 Effective Date. Section 550 of this act shall take effect June 30, 2023.

552 Appropriation; Department of Health and Human Services; Home Visiting Program. The sum of $450,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program. Said amount shall be in addition to any other amounts appropriated for this purpose, and shall not lapse until June 30, 2025. The department is authorized to accept and expand any matching federal funds available for the purposes of this section without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

553 Effective Date. Section 552 of this act shall take effect June 30, 2023.

554 Appropriation Amended; 2019; Hospital Care Coordination. Amend 2019; 346:222 to read as follows:

346:222 Appropriation; Department of Health and Human Services; [~~Patients Residing in Hospital Emergency Rooms~~] ***Hospital Care Coordination; Positions Established.***

I. There is hereby appropriated to the department of health and human services the sum of $750,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, and shall be expended for the purpose of [~~providing due process for involuntary emergency admissions patients currently residing in emergency rooms in hospitals; provided that no hospital shall receive more than $100,000. The appropriation made in this section shall only cover the portion of costs not reimbursable by insurance carriers. The commissioner of the department of health and human services shall establish the application process for such funds~~] ***supporting a statewide care coordination function for the purpose of eliminating hospital emergency department psychiatric boarding during the biennium ending June 30, 2025.*** The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. [~~If the expenditure is greater than the appropriation contained in this section, the commissioner of the department of health and human services may request and receive additional funding, with the prior approval of the fiscal committee of the general court and governor and council. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.~~] ***For the purposes in paragraph I, there are established the following positions within the department: one senior psychiatric social worker, one business systems analyst II, and 2 registered nurse III positions.***

555 Appropriation; Department of Health and Human Services; Juvenile Peer-to-Peer Grief Support. There is hereby appropriated the sum of $500,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, to the department of health and human services for the purpose of funding juvenile peer-to-peer grief support programming. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

556 Effective Date. Section 555 of this act shall take effect June 30, 2023.

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557 Appropriation; Department of Health and Human Services; Reimbursement For Licensed Nursing Assistants. There is hereby appropriated to the department of health and human services, account 05-95-048-482010-2154, class 509, the sum of $400,000, for the fiscal year ending June 30, 2023, for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continued education. This appropriation shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

558 Effective Date. Section 557 of this act shall take effect June 30, 2023.

559 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services, the sum of $2,054,360 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of Granite United Way administering the Recovery Friendly Workplace Initiative, which promotes individual wellness for Granite Staters by empowering workplaces to provide support for people recovering from substance use disorder. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

560 Effective Date. Section 559 of this act shall take effect June 30, 2023.

561 New Section; WIC Farmers' Market Nutrition Program. Amend RSA 132 by inserting after section 12-e the following new section:

132:12-f WIC Farmers' Market Nutrition Program. There is established in the department of health and human services the New Hampshire Farmers' Market Nutrition Program for participants in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). The program shall distribute food instruments to eligible WIC participants to redeem for locally grown fresh fruits, vegetables and herbs at authorized New Hampshire farmers' markets in compliance with 7 C.F.R. 248 that are redeemable only at designated New Hampshire farmers' markets. The commissioner shall adopt rules under RSA 541-A to implement this program.

562 Appropriation; WIC Farmers' Market Nutrition Program. There is hereby appropriated to the department of health and human services the sum of $600,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, for the purpose of funding the WIC Farmers' Market Nutrition Program in RSA 132:12-f. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

563 Effective Date. Section 562 of this act shall take effect June 30, 2023.

564 Department of Health and Human Services; Homeless and Housing Shelter Programs; Appropriations.

I. The sum of $8,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of increasing rates paid to shelter programs. Said sums shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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II. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of assisting with homeless shelters, partial funding of a cold weather shelter, hotel stays, and other alternatives to provide shelter expenses. Said sum shall not lapse until June 30, 2025. No later than October 1 of each year of the biennium, the department shall distribute $1,000,000 to one provider in each county based on 50 percent to be distributed evenly across each county and 50 percent based on the most recent preliminary point-in-time count of those experiencing homelessness in the county. The funds shall be used to make payments to homeless shelters, partial funding of a cold weather shelter, hotel stays, and other alternatives to provide shelter. Each solution shall include coordination of referrals to related services and transportation to and from said shelter. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

565 Effective Date. Section 564 of this act shall take effect June 30, 2023.

566 Residential Care and Health Facility Licensing; Exception Added. Amend RSA 151:2, VI(a) to read as follows:

VI.(a)***(1)*** No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues or to any continuing care facility for which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.

(2) Provided however, effective July 1, 2023, any pediatric intermediate care facility, established before the effective date of this subparagraph is authorized to house one additional pediatric resident beyond its licensed capacity prior to that date, with this authorization to expire June 30, 2024.

567 Statement of Findings. The general court hereby finds that:

I. The state of New Hampshire is ranked as having one of the fastest growing number of older adults in the country.

II. As the number of older adults increases, the need for long-term care will increase.

III. Pursuant to the federal Older Americans Act, New Hampshire is required to promote the development and implementation of comprehensive, coordinated, statewide system of long-term services and supports that is responsive to the needs and preferences of older individuals and their family caregivers.

IV. The federal Americans with Disabilities Act prohibits unnecessary institutionalization of individuals with disabilities.

V. RSA 151-E was established to provide Medicaid eligible elderly and chronically ill adults with a continuum of long-term care options.

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VI. Despite these federal and state mandates, historically there has been a lack of investment in our state's system and programs for older adults and adults with disabilities.

VII. Rebalancing New Hampshire's systems to expand more home and community-based options will reduce the cost of providing services and allow our state to serve more people.

568 New Subdivision; Long-Term Care; System of Care for Healthy Aging. Amend RSA 151-E by inserting after section 21 the following new subdivision:

System of Care for Healthy Aging

151-E:22 Purposes. The purposes of this subdivision are to:

I. Build upon existing infrastructure to establish a comprehensive and coordinated system of care to ensure that older adults and adults with disabilities have access to and timely delivery of supports and services and to ensure that they have a meaningful range of options.

II. Reduce the cost of providing long-term care by expanding the availability of less costly home and community-based services.

III. Require the department of health and human services to expand and improve access to home and community-based services for older adults and adults with disabilities in alignment with New Hampshire's state plan on aging, the federal Older Americans Act, Americans with Disabilities Act, and Medicaid law.

IV. The system of care referenced in this subdivision is meant to streamline access to long-term care supports and services and not intended to expand eligibility for any current Medicaid programs, including long-term care Medicaid or any home and community-based Medicaid waiver programs.

151-E:23 Statement of Policy. It is the policy of New Hampshire to establish and implement a comprehensive and coordinated system of care that promotes healthy aging and enables older adults and adults with disabilities to have a meaningful choice in care options, including the ability to receive the care they need in their homes and communities.

151-E:24 Definitions. In this subdivision:

I. "Disability" means a physical or mental impairment that substantially limits one or more major life activities.

II. "Home and community-based services" means a range of medical and supportive services provided to persons in their own homes or other community-based settings including, but not limited to, adult day programs, and assisted living.

III. "Long-term services and supports" means a variety of services provided in both facilities and community-based settings designed to meet a person's health or personal care needs to help them live as independently and safely as possible when they can no longer perform everyday activities on their own.

IV. "Older adult" means an individual who is 60 years of age or older.

V. "System of care" means:

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(a) A comprehensive and coordinated delivery system for the provision of long-term services and supports to New Hampshire's older adults and adults with disabilities.

(b) The system of care is intended to provide services to all older adults and adults with disabilities who require long-term services and supports.

(c) The system of care shall have the following characteristics:

(1) A comprehensive array of long-term services and supports including, but not limited to, personal care, homemaker services, transportation, meal delivery or preparation, emergency response systems, adult day care, and family caregiver support to enable older adults and adults with disabilities to remain independent and in the setting of their choice.

(2) An absence of significant gaps in services and barriers to services.

(3) Sufficient administrative capacity to ensure quality service delivery.

(4) Services that are consumer-driven, community-based, and culturally and linguistically competent.

(5) Transparent, with information made available and known to consumers, providers, and payers.

(6) A funding system that supports a full range of service options.

(7) A performance measurement system for accountability, monitoring and reporting of system quality, access and cost.

151-E:25 Duties of Commissioner of the Department of Health and Human Services. The commissioner of the department of health and human services shall:

I. Modify the policies and practices of the department of health and human services necessary to implement this subdivision, to the extent possible within existing statutory and budget constraints.

II. Coordinate the plans and activities of the commissioner with the bureau of elderly and adult services, the bureau of family assistance and division of long-term supports and services to implement the system of care and reduce duplication of efforts across divisions and bureaus within the department.

III. Develop a plan for full establishment and maintenance of a system of care. Such plan shall be reviewed annually and amended or modified as needed. It shall include sufficient detail to allow compliance with the reporting requirements of RSA 151-E:27 as applicable and shall address at least the following elements:

(a) System capacity, including workforce sufficiency.

(b) Federal funding participation, including but not limited to, Medicaid waivers and plan amendments.

(c) Changes to statutes, administrative rules, and structure of appropriations, and department policy, practice and structure.

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(d) Projections of cost savings from increased service effectiveness and reductions in costly forms of care and use of such savings to close existing gaps in long term care services.

(e) Recommended modifications to law, practice, and policy to prepare for and accommodate the participation of privately funded service providers in the system of care.

(f) Changes to rates for the Choices for Independence program in accordance with section 1902(a)(30)(A) of the Social Security Act and requirements for Medicaid home and community-based waiver programs under section 1915(c).

IV. Beginning no later than January 1, 2025, begin adjusting rates for the Choices for Independence waiver consistent with the rate study, assuming funds are available. Any unspent funds allocated to the Choices for Independence program shall be non-lapsing and shall be used for service provision for the Choices for Independence program.

V. On or before September 30, 2024, submit a waiver request to the Centers for Medicare and Medicaid services or implement an alternative method to establish a robust presumptive eligibility process for Medicaid home and community-based waiver services, including a mechanism for third party participation.

VI. Improve functionality of the NH EASY system for individuals applying for services and provide additional trainings for professionals who frequently assist people applying for services and develop associated performance metrics.

VII. Ensure applications for Medicaid long-term services are user friendly and processed in a timely manner and develop performance metrics to measure these attributes.

VIII. On or before June 30, 2025, maintain an online portal for providers, case managers, navigators and other long-term care service providers to enable them to easily identify and access available long-term care services and supports for older adults and adults with disabilities. The portal functions required by this section may be assigned to an entity that has responsibilities in addition to those required by this section. The portal shall contain the following information:

(a) A current list of home and community-based care waiver service providers accepting new clients, including links to websites and contact telephone numbers, organized by region that is updated on a weekly basis.

(b) Non-Medicaid resources to support the cost of home and community-based services.

(c) Referral information for legal service organizations.

(d) Guidance regarding family navigation of hospital discharge protocols and options.

IX. On or before June 30, 2025, create a public facing online dashboard to track home and community-based waiver services data, including, but not limited to, results of any performance measurement assessments, waiver services authorized but not paid, current wait times for receiving waiver services and the number of people from institutionalized care into the community.

151-E:26 Person-Centered Counseling Program. The department shall:

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I. Create a new person-centered counseling program in each contracted aging and disability resource center (ADRC) to provide support and assistance to persons living at home or in short or long-term institutional settings, including hospitals, to transition into community-based settings. The program shall include referrals and support to access, at a minimum, but not limited to: assistance with completing Medicaid applications, discharge planning, referrals and access to Title III-B and Title XX services and programs, referrals and access to community-based services, housing, and other supports and services to meet the needs of the individual and their family. These services shall not replace or duplicate targeted case management services described in RSA 151-E:17.

II. Increase operational capacity in each ADRC to enable the provision of person-centered counseling services for adults, including but not limited to, educating consumers about available community-based resources for long-term services and supports, assistance with completing Medicaid applications, and assistance with the transition to access such services.

III. Establish performance metrics for each contracted information and referral resource center to assess each office's ability to provide the services contained in this section.

151-E:27 System of Care Implementation and Reporting Requirements.

I. When preparing the biennial budget, for the Choices for Independence program, the department shall prepare data showing the amount program provider rates would be increased to be in alignment with the rate plan as completed by the department.

II. The department shall review and propose rates for the Choices for Independence program in accordance with section 1902(a)(30)(A) of the Social Security Act and requirements for Medicaid home and community based waiver programs under section 1915(c). The department shall provide a report to the house health, human services and elderly affairs committee and senate health and human services committee, the house finance committee, the senate finance committee and the joint legislative committee on health and human services established in RSA 126-A:13 on or before July 1, 2024. The focus of the rate study is to promote efficiency, economy, quality of care and access to services within New Hampshire's Choices for Independence program. The rate study shall establish reimbursement methodologies utilizing the U.S. Centers for Medicare and Medicaid Services Market Basket Index as an inflation benchmark for rate-setting purposes. The department shall seek input from Choices For Independence beneficiaries, providers, and other stakeholders in regard to access to Choices for Independence services in future rate setting processes. Information regarding access to services shall be publicly documented and shall be considered in the subsequent rate-setting process.

III. On a biennial basis, the department shall perform a financial review to determine whether ADRC offices are receiving sufficient funding to maintain their operations and make legislative budget requests if additional funding is warranted.

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IV. Beginning November 1, 2023, and annually thereafter, the department shall report to the governor, the state commission on aging established in RSA 19-P:1 and the joint legislative committee on health and human services established in RSA 126-A:13. The report shall provide detailed information regarding the status of the implementation of this subdivision.

V. Beginning in 2024, the report shall address the following:

(a) The total cost of Medicaid long-term care services and Choices for Independence program services.

(b) The extent to which the state's long-term care support and services systems are consistent with a system of care.

(c) A description of any actual or planned changes in department policy or practice or developments external to the departments that will affect implementation of a system of care.

(d) Any other available information relevant to progress toward full implementation of a system of care.

(e) The result of pilots regarding access with the counties.

(f) A review of options to enhance the system of care.

(g) Presumptive eligibility findings and recommendations for next steps.

(h) The status of changes to the NH Easy application system and any additional enhancements needed.

(i) The status of reimbursement rates and rate study.

VI. Beginning in 2025, the report shall also address the following:

(a) Identification of those actions which will be required to maximize federal and private insurance funding participation in the system of care, along with target dates for completion.

(b) Identification of changes to statutes, administrative rules, policies, practices, and managed care and provider contracts which will be necessary to fully implement the system of care.

(c) Identification of significant gaps in the array of long-term care supports and services for older adults and adults with disabilities, along with a description of plans to close those gaps.

VII. Beginning in 2026, the report shall also address the following:

(a) Projections of future demand for services in the system of care.

(b) Identification of shortfalls in workforce sufficiency affecting full implementation of the system of care and plans for addressing those shortfalls.

(c) Identification of specific plan amendments and other changes to the Medicaid system required for full implementation of the system of care and plans for making those changes.

(d) Numbers of older adults and adults with disabilities waiting services in various categories.

VIII. Beginning in 2027, the report shall also address the following:

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(a) Detailed statistical information regarding older adults and adults with disabilities serviced, along with demographic characteristics, service need and provision, involvement in service systems, service funding sources, and placement or other site of service provision.

(b) Financial information, including but not limited to measures of cost-effectiveness, comparisons with other states with regard to levels of funding from federal, state, local, and private sources, and cost savings resulting from service coordination and effectiveness.

(c) An assessment of any influences external to the department of health and human services, including configuration of the private long-term care health care system, which may be affecting establishment of the system of care.

569 Appropriations; Department of Health and Human Services; System of Care for Healthy Aging.

I. For the purpose of developing a plan to establish and maintain the system of care for healthy aging as described in RSA 151-E:25, III, a sum not to exceed $50,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the plan. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

II. For the purpose of developing and implementing the online portal, dashboard, and data collection systems described in RSA 151-E:25, VIII and IX, a sum not to exceed $100,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of the dashboard and data collection. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. For the purpose of enabling the department to complete the reporting requirements described in RSA 151-E:27, a sum not to exceed $150,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services. The appropriation may be used to engage outside qualified and experienced vendors to assist in the production of reports in 2024 and 2025. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to

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draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

570 Appropriation; Department of Health and Human Services; Person-Centered Counseling Program. The sum of $1,197,600 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the person-centered counseling program established in RSA 151-E:26. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend any federal funds available for the purposes of the counseling program without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

571 System of Care and Peer-Centered Counseling; Staffing; Classified Positions Established.

I. The following classified positions are established in the department of health and human services to support the person-centered counseling program established in RSA 151-E:26:

(a) Program Specialist III (Labor Grade 23, Step 5), and

(b) Program Specialist IV (Labor Grade 25, Step 5).

II. The sum of $190,000 for the biennium ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. The commissioner of health and human services, to the extent possible, shall fill available vacant classified positions as necessary to implement the system of care for healthy aging established in this act, including additional staffing to perform rate setting, streamlining of application process, creation and maintenance of public facing dashboard and online portal for providers, updating of performance measures and other required activities.

572 Personal Care Services; Definition of Personal Care Services Provider. Amend RSA 161-I:2, XII to read as follows:

XII. "Personal care services provider" means a person who:

(a) Is selected by:

(1) The eligible consumer;

(2) The eligible consumer's legal guardian;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer; and

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(b) Is employed by a home health agency or other qualified agency to provide personal care services; and

(c) Is not:

(1) The eligible consumer's legally responsible relative, except as authorized pursuant to RSA 161-I:3-a;

(2) The eligible consumer's legal guardian, ***except as authorized pursuant to RSA 161-I:3-a***;

(3) The eligible consumer's representative; or

(4) A person granted power of attorney by the eligible consumer, ***except as authorized pursuant to RSA 161-I:3-a***.

573 Personal Care Services; Authorization of Legally Responsible Relative. Amend RSA 161-I:3-a to read as follows:

161-I:3-a Authorization of Legally Responsible Relative, ***Guardian, or Person Granted Power of Attorney***. The department may authorize reimbursement to a legally responsible relative, ***a guardian, or a person granted power of attorney by the eligible consumer,*** who provides personal care to an eligible consumer with special health care needs residing at home. Such reimbursement shall occur only when the department determines that the needs of the eligible consumer, the unavailability of appropriate providers of suitable alternative care services, and cost efficiencies make utilization of a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** for the provision of such services necessary and appropriate. Reimbursement shall be limited to care that is medically necessary due to specific health needs and shall not be made for care generally expected and provided by a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer.*** The department shall not authorize reimbursement to a legally responsible relative, ***guardian, or person granted power of attorney by the eligible consumer,*** until a plan and rules adopted pursuant to RSA 541-A, are reviewed and approved by the oversight committee on health and human services, established in RSA 126-A:13.

574 Long-Term Care; Information and Referral. Amend RSA 151-E:5 to read as follows:

151-E:5 Information and Referral. The department shall establish a system of community-based [~~information and referral~~] ***aging and disability*** resource centers that provide information and referral services to [~~elderly and chronically ill adults~~] ***older adults and adults with disabilities.*** The [~~information and referral~~] ***aging and disability resource center*** network established under this section shall not be used for the purpose of political advocacy, but may inform and educate the general court regarding the extent of services available as well as the unmet needs in the community.

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575 New Section; Personal Care Services; Financial Eligibility for Adult Home and Community-based Care Waiver Programs. Amend RSA 167 by inserting after section 4-e by the following new section:

167:4-f Financial Eligibility.

I. Financial eligibility for Medicaid adult home and community-based waiver programs shall include the following resource limits:

(a) For married individuals, revert to the standard in place prior to the passage of the federal Affordable Care Act, so that only the resources in the name of the applicant, and not the resources in the name of the applicant's spouse are counted for purposes of determining Medicaid resource eligibility; and

(b) For single individuals, establish a resource disregard of $6,000, which would have an effective resource limit of $7,500.

II. Department of Health and Human Services; Resource Disregard Enhancement Authority; Rulemaking. Pursuant to RSA 161:4-a, the department of health and human services shall enter into rulemaking, subject to the Centers for Medicare and Medicaid Services (CMS) approval as necessary, to revert the resource standard for married persons prior to the passage of the Affordable Care Act and increase the resource disregard to a maximum of $6,000 for individuals seeking nursing facility services or home and community based care under state waivers established under section 1915(c) of the Social Security Act.

576 Department of Health and Human Services; Eligibility for Assistance. Amend RSA 167:4, I(b) to read as follows:

(b) ***To the extent permissible under federal law,*** in the case of an applicant for public assistance or medical assistance who has made an assignment or transfer of assets to an individual for less than fair market value within [~~60~~] ***36*** months, or ***for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances,*** or in the case of transfers of real estate, or transfers of assets to a trust or portions of a trust that are treated as assets disposed of by the individual within [~~60~~] ***36*** months, ***or for up to 60 months if deemed necessary by the department based upon case specific information or extenuating circumstances,*** immediately preceding the date of application or while the application is pending, or in the case of a recipient of public assistance or medical assistance who makes such an assignment or transfer while in receipt of the assistance, the assistance sought shall only be granted or continue to be granted in accordance with rules establishing restrictions and eligibility criteria for such cases as adopted by the commissioner of the department of health and human services under RSA 541-A, subject to applicable federal regulations and waiver approval, if any, and review by the oversight committee on health and human services, established in RSA 126-A:13. The oversight committee on health and human services shall make a report to the legislative fiscal committee which shall have final approval authority.

NOT APPROVED

577 Effective Date. Sections 569, 570, and 571 of this act shall take effect June 30, 2023.

578 Department of Health and Human Services; Study on Graduated Public Assistance Mandated; Appropriation.

I. The department of health and human services shall seek a continuation of the 2021 economic analysis regarding mitigation of the benefits cliff effect for the possible creation, funding, and implementation of graduated, proportional public assistance programs for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings, including the performance of existing pilot programs related to the benefit cliff, and any proposed legislation to the applicable committees of the general court on or before July 1, 2024.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions, such as income levels and hours worked per week. The department shall review the following programs:

(a) The supplemental nutrition assistance program, established under RSA 161:2, XIII, XIII-a, and XIII-b;

(b) The special supplemental nutrition program for women, infants, and children, established under RSA 132:12-a; and

(c) The financial assistance for needy families program, established under RSA 167.

IV. The sum of $200,000 for fiscal year ending June 30, 2023 is hereby appropriated to the department for the purpose of conducting a continued review and economic analysis of the cliff effect as set forth in this section. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

579 Housing Finance Authority; Study on Graduated Public Assistance Mandated.

I. The housing finance authority shall study the creation, funding, and implementation of a graduated, proportional rental assistance housing choice voucher program for individuals who do not qualify for existing assistance within the state.

II. The housing finance authority shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the housing finance authority shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

580 New Hampshire Employment Security; Study on Graduated Public Assistance Mandated.

I. New Hampshire employment security shall study the creation, funding, and implementation of a graduated, proportional unemployment compensation program, based upon the program established in RSA 282-A, for individuals who do not qualify for existing assistance within the state.

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II. New Hampshire employment security shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, New Hampshire employment security shall take consideration of qualifying and disqualifying conditions such as income levels and hours worked per week.

581 Department of Energy; Study on Graduated Public Assistance Mandated.

I. The department of energy shall study the creation, funding, and implementation of a graduated, proportional low income home energy assistance program for individuals who do not qualify for existing assistance within the state.

II. The department shall submit a report on its findings and any proposed legislation to the applicable committees of the general court on or before November 1, 2023.

III. In its review, the department shall take consideration of qualifying and disqualifying conditions such as income levels.

582 Effective Date. Section 578 of this act shall take effect June 30, 2023.

583 New Section; Study Commission Established. Amend RSA 284 by inserting after section 6-b the following new section:

284:6-c Study Commission Established.

I. There is established a commission to study the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races.

II.(a) The members of the commission shall be as follows:

(1) Two members of the senate, appointed by the president of the senate.

(2) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(3) The lottery executive director, or the executive director's designee.

(4) One representative of the facility owners.

(5) Two representatives of charitable gaming charities.

(6) The attorney general, or the attorney general's designee.

(7) One member of the public appointed by the governor.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall examine how charities are selected and whether a uniform process should exist; whether the state should implement a limit on the number of charitable gaming locations; and whether charging rent to the charities is necessary with historic horse racing. The commission shall bring together different stakeholders to address these questions, and ensure those involved in the process have a voice in the discussion that will result in recommendations benefitting all stakeholders. The commission also shall monitor the benefits of historical horse racing to charities to ascertain whether additional licenses for historical horse racing machines would increase

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or reduce revenues to charities. The commission shall examine whether host communities should share in proceeds of any charitable gaming establishment.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2024.

VI. The commission shall be administratively attached to the lottery commission.

584 Commission to Study Charitable Gaming; Appropriation. There is hereby appropriated to the lottery commission the sum of $150,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of studying charitable gaming and soliciting input from stakeholders. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

585 Effective Date. Section 584 of this act shall take effect June 30, 2023.

586 Repeal. RSA 284:6-c, relative to studying the effect of recent changes made to charitable gaming laws, including the newly authorized historical horse races, is repealed.

587 Effective Date. Section 586 of this act shall take effect July 1, 2025.

588 State College and University System; Finances; Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b to read as follows:

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship ***or Guardianship After Being in State Foster Care.***

I. An eligible individual who enrolls full-time or part-time, with the approval of the division for children, youth and families, in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state shall not be required to pay tuition or mandatory fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than [~~23~~] ***26*** years of age and who is or was:

(a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;

(b) In state guardianship or custody at the time of his or her 18th birthday;

(c) In guardianship, after being in state foster care or guardianship, at the time of their 18th birthday;

(d) In placement out-of-state, through the interstate compact for the placement of children, at the time of their 18th birthday;

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[~~(c)~~] *(e)* Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender ***or termination*** of parental rights; or

[~~(d)~~] *(f)* In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 18th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms provided and within the deadlines established by the university system of New Hampshire and the community college system of New Hampshire for their respective institutions. [~~No more than 15 tuition waivers per year shall be granted by the university system of New Hampshire and no more than 15 tuition waivers per year shall be granted by the community college system of New Hampshire.~~] ***In any year, no more than 70 tuition waivers shall be granted by the university and community college systems of New Hampshire. Of these 70 tuition waivers, 35 shall be allocated to the university system and 35 shall be allocated to the community college system.*** The university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop eligibility criteria for their respective institutions designed to give the children with the greatest financial need first priority in the tuition waiver program. Such eligibility criteria shall also include provisions for continuing eligibility based on continued full-time or part-time, with the approval of the division for children, youth and families, enrollment and satisfactory academic progress as defined by the institution.

IV. An eligible individual may also apply for a room and board scholarship under the provisions of RSA 187-A:20-a, II without having to comply with the provisions of RSA 187-A:20-a, I.

589 New Subdivision; Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program. Amend RSA 188-F by inserting after section 69 the following new subdivision:

Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program

188-F:70 Program Established.

I. There is hereby established in the community college system of New Hampshire the New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program. To the extent of available funds, New Hampshire law enforcement officers, professional firefighters, and emergency medical technicians may receive reimbursement, upon successful completion, for the cost of one course per semester, including required fees, in a degree program at an institution in the community college system as approved for that individual upon recommendation of the person's supervisor and the committee. Such courses may be in any field leading to a degree in an area of study approved by the commission.

II. Upon employment by a New Hampshire fire service, a graduate of the New Hampshire fire academy, or the entity that paid for the cost, with the recommendation of the employee's

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supervisor and the approval of the committee, shall receive full reimbursement for the cost of the academy not covered by other funding sources.

188-F:71 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Program Committee Established.

I. There is hereby established the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program committee. The members of the committee shall be as follows:

(a) The commissioner of the New Hampshire department of safety, or designee. The commissioner, or designee, shall serve as chairperson of the committee.

(b) The chancellor of the community college system of New Hampshire, or designee.

(c) The director of the New Hampshire police standards and training council, or designee.

(d) The director of the New Hampshire Fire Academy, or designee.

(e) The president of the New Hampshire Association of Chiefs of Police, or designee.

(f) The president of the New Hampshire Police Association, or designee.

(g) The president of the New Hampshire state police union, or designee.

(h) The president of the Professional Firefighters of New Hampshire, or designee.

(i) The president of the New Hampshire Association of Emergency Medical Technicians, or designee.

(j) The president of the New Hampshire Association of Fire Chiefs, or designee.

(k) Three educators from the community college system of New Hampshire, appointed by the chancellor of the community college system of New Hampshire.

II. The committee shall establish criteria and procedures for approval of requests for course reimbursement, allocation of available funds, and student debt payment.

III. The community college system shall determine the number of credits and the course equivalents granted for graduation from the New Hampshire police standards and training council and the New Hampshire fire academy.

IV. The committee shall report annually to the governor, president of the senate, and speaker of the house of representatives. The report shall include information regarding participation in the program, completion of courses, student debt relief, fire academy tuition reimbursement, and data and other information relative to recruitment and retention, and shall make recommendations for legislation relative to the program, and resources needed to achieve its goals.

188-F:72 Law Enforcement Officers, Professional Firefighters, and Emergency Medical Technicians Career Development, Recruitment, and Retention Fund Established. There is hereby established in the state treasury a fund to be known as the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention

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fund. The fund shall be administered by the community college system of New Hampshire. The fund shall be nonlapsing and continually appropriated to the community college system to support the program established in this subdivision. The community college system shall establish procedures for receiving and disbursing funds, and it shall report to the committee established in RSA 188-F:71 on the operation of the fund. The fund may accept state or federal appropriations or grants, or gifts, grants, or donations from any other source.

590 Community College System of New Hampshire; Appropriation. There is hereby appropriated to the community college system of New Hampshire the sum of $1,000,000 for the fiscal year ending June 30, 2023. This sum shall be in addition to any other sums appropriated to the community college system and shall not lapse. Funds shall be used to support the law enforcement officers, professional firefighters, and emergency medical technicians career development, recruitment, and retention program established in RSA 188-F:70. Of the sum appropriated, up to $875,000 shall be used for course reimbursement under the program and up to $125,000 shall be used for New Hampshire fire academy cost reimbursement. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

591 Effective Date. Section 590 of this act shall take effect June 30, 2023.

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

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

593 Prospective Repeal; 2033. RSA 162-A:7-b, relative to annual grants to regional economic development corporations, is repealed.

594 Effective Date. Section 593 of this act shall take effect June 30, 2033.

595 Prohibited Political Contributions; Candidate or Candidate Committee. RSA 664:4, V is repealed and reenacted to read as follows:

V. By any candidate committee, non-candidate political committee, or political advocacy organization in excess of the following amounts:

	Maximum amount contributed during exploratory phase	Additional maximum amount that may be contributed for the primary election.	Additional maximum amount that may be contributed for the general election.	Total maximum amount of contributions:
Contributed to:				

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Candidate or Candidate Committee	Unlimited	Unlimited	Unlimited	Unlimited
Non-candidate political committee or political party	Unlimited	Unlimited	Unlimited	Unlimited
Political advocacy organization	Unlimited	Unlimited	Unlimited	Unlimited

596 Effective Date. Section 595 of this act shall take effect upon its passage.

597 Joint Legislative Historical Committee; Rogers Johnson Portrait. The joint legislative historical committee established under RSA 17-I:1 may accept a gift of a portrait of Rogers Johnson and oversee the hanging of the portrait in the state house.

598 Department of Health and Human Services; Early Childhood Mental Health Consultation Pilot Program.

I. The department of health and human services shall implement a minimum 2-year pilot program to develop and maintain a publicly available network of trauma-informed early childhood mental health consultants and ensure ongoing training and consultation of the early childhood mental health consultants. The department may consult with outside resources when establishing the pilot program. Under the pilot program, early childhood mental health consultations shall be:

(a) Provided by qualified mental health professionals who possess a masters or doctoral-level degree in the mental health field and who demonstrate evidence of specialized training and experience in infant and early childhood mental health as established by the department;

(b) Offered, if necessary, to children across settings and regardless of changes to setting and placement;

(c) Integrated with other available behavioral health and family support services providers, including but not limited to the care management entities established under RSA 135-F, early childhood mental health services, and early supports and services; and

(d) Implemented in accordance with this section and include, but not be limited to, the following services:

(1) Conducting observation and assessment of a child and their caregivers across child care settings, including universal strengths-based assessments in accordance with this chapter and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure to stress and symptoms, emotional and behavioral development, and the strengths and needs of the caregiving/child-caregiver relationship;

(2) Consulting with caregivers, teachers, directors, administrators, and other medical and behavioral health providers about the meaning of challenging behaviors and how to meet the needs of the child and care givers;

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(3) Strengthening caregiver and professional capacity to successfully handle challenging behaviors though developmentally appropriate methods, including but not limited to reflective questioning, developmental guidance, modeling, and role playing;

(4) Offering training in young child socio-emotional development, emotional and behavioral regulation, and trauma exposure to caregivers and professionals; and

(5) Be provided to any child 0 to 6 years of age presenting with behaviors substantially interfering with their successful engagement in child care and to any child who is placed or at risk of being placed in foster care within 30 days of their placement in care.

II. The department shall establish the eligibility and referral process for consultations that prioritize children in foster care or at risk of being placed in foster care.

III. Notwithstanding any paragraph of this section, the availability of consultations shall be subject to available appropriations to this program.

599 Appropriation; Early Childhood Mental Health Consultation Pilot Program. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to support the early childhood mental health consultation pilot program. Said funds shall not lapse and shall be allocated equally in each year of the biennium ending June 30, 2025.

600 Effective Date. Section 599 of this act shall take effect June 30, 2023.

601 Appropriation; Department of Education; Adult Education. The sum of $500,000, in the fiscal year ending June 30, 2023, is hereby appropriated to the department of education for the purpose of increasing funding available for grants to adult education programs during the biennium ending June 30, 2025. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

602 Effective Date. Section 601 of this act shall take effect June 30, 2023.

603 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend RSA 4:45, I and II to read as follows:

I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made disaster of major proportions is imminent or has occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section. As soon as practicable, the governor shall notify the speaker of the house of representatives and the senate president of the impending issuance of emergency orders under this section and provide a description of such orders. The general court shall have the same power to declare a state of emergency by concurrent resolution of the house and senate. An executive order or concurrent resolution declaring a state of emergency shall specify the:

(a) Nature of the emergency;

(b) Political subdivisions or geographic areas subject to the declaration;

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(c) Conditions that have brought about the emergency; and

(d) Duration of the state of emergency, if ***declared by the governor and*** less than [~~21~~] ***28*** days, ***or if declared by the general court and less than 90 days.***

II.(a) A state of emergency shall terminate automatically [~~21~~] ***28*** days after its declaration ***if declared by the governor, or 90 days after its declaration if declared by the general court,*** unless it is renewed under the same procedures set forth in paragraph I of this section. The governor may, by executive order, renew a declaration of a state of emergency [~~as many times as~~] ***no more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the inhabitants of this state. ***The general court may, by concurrent resolution, renew a declaration of a state of emergency as many times as it finds is necessary to protect the safety and welfare of the inhabitants of this state.***

(b) If the governor finds that maintaining the state of emergency is no longer justified, the governor shall issue an executive order terminating the state of emergency.

(c) The legislature may terminate a state of emergency or any emergency order issued thereunder by a [~~majority vote of both the senate and the house of representatives~~] ***concurrent resolution adopted by a majority vote of each chamber.*** A majority for this vote shall consist of a majority of members present and voting in each chamber acting separately. A state of emergency shall terminate upon a [~~majority vote of both chambers~~] ***concurrent resolution adopted by a majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall not preclude the governor from declaring a new emergency for different circumstances under paragraph I of this section.

[~~(d) Ninety days from the date of declaration of a state of emergency, and every 90 days thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire constitution, and address a joint session of the general court, and shall provide a written copy of the address to all members of both chambers within 5 business days. At such joint session, the legislature shall vote on whether to terminate the state of emergency by concurrent resolution adopted by a simple majority of both chambers acting separately on the following question: "Shall the current state of emergency be terminated?" For purposes of this section, "simple majority" means a majority of members present and voting "yea" in both chambers.~~]

604 Effective Date. Section 603 of this act shall take effect upon its passage.

605 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2023.

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AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Provides for optional retirement system membership for employees of the community college system of New Hampshire hired on or after July 1, 2023.

5. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

6. Authorizes the liquor commission to transfer funds for its employee incentive program.

7. Establishes new, unclassified positions within the department of corrections.

8. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system and removes the position of professional standards director from the department of corrections.

9. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

10. Makes certain organizational changes to the office of the commissioner of the department of environmental services.

11. Alters the hearing processes for the councils within the department of environmental services and establishes a committee to study such processes to identify areas within which to promote efficiency.

12. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resource fund.

13. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

14. Modifies the wastewater plant operator certification fund to be continuously appropriated.

15. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

16. Clarifies the chargeable area for fees associated with terrain alternative disturbances.

17. Removes certain limitations to the Winnipesaukee River basin control program.

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18. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

19. Establishes the InvestNH Program and makes an appropriation for this purpose.

20. Makes an appropriation for the affordable housing fund.

21. Repeals statutes related to the advanced manufacturing education advisory council, membership and terms, duties, and the advanced manufacturing education fund.

22. Creates the establishment of the bridges house special account.

23. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

24. Makes an appropriation for the department of corrections IT infrastructure.

25. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

26. Makes an appropriation to the department of administrative services for the acquisition of land, building, and other improvements located at 1 Granite Place, Concord, New Hampshire, conditioned upon the prior successful closing of a sale of the former Laconia state school campus property.

27. Makes an appropriation for the body-worn and dashboard camera fund.

28. Authorizes the Christa McAuliffe memorial and makes an appropriation therefor.

29. Establishes a commission on New Hampshire civics and makes an appropriation to the department of education and commission for the purpose of funding a New Hampshire civics textbook.

30. Establishes a program in the department of education to provide stipends and grants to students to reduce financial barriers to entering the educator workforce.

31. Requires the board of tax and land appeals to have at least one member of the board be an attorney admitted to practice in New Hampshire.

32. Establishes a retirement benefits commission.

33. Makes an appropriation to the office of the child advocate for the purpose of enhancing the case management system.

34. Makes an appropriation to the department of business and economic affairs for the New Hampshire pulp and paper manufacture industry stabilization grant program.

35. Extends the repeal date for the division of personnel's program for recruitment and retention.

36. Makes an appropriation to the university system of New Hampshire for allocation to Keene state college and Plymouth state university.

37. Establishing the position of computer science administrator, the computer science educator program, and making an appropriation therefor.

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38. Makes an appropriation to the public school infrastructure fund.

39. Moves the repeal of the interest and dividends tax from 2027 to 2025.

40. Redirects workers' compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.

41. Alters the nomination process to the labor commissioner penalty appeal board.

42. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

43. Alters the composition of the workers' compensation appeal board.

44. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

45. Creates an over-length, over-width, over-height, and over-weight revolving fund credited to the department of transportation.

46. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

47. Exempts department of transportation impacts associated with maintenance projects within existing rights of way and/or permanent easements to certain hearing, mitigation, and notification requirements under certain wetlands provisions.

48. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

49. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

50. Alters the process of the development of the statewide transportation improvement program plan.

51. Alters the process to claim assets which have escheated to the state.

52. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

53. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

54. Directs the department of energy to support offshore wind initiatives.

55. Changes the dates required to submit reports to the department of energy.

56. Increases staff and expenditures at the department of energy.

57. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

58. Enables the commissioner of the department of energy to appoint a general counsel.

59. Changes the statutory fee for record requests from the division of motor vehicles.

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60. Allows certain emergency medical care providers to administer Naloxone.

61. Reduces the appropriations to the department of education for education freedom accounts.

62. Changes the distribution schedule from the education trust fund.

63. Defines episode of treatment in court-ordered placement of children and addresses department of education payment for placement for an episode of treatment.

64. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport and to the Winnisquam Regional CTE project.

65. Revises the formula for calculating adequate education grants and increases the amount of such funding.

66. Increases chartered public school funding.

67. Repeals the grade 3 statewide education improvement and assessment program data.

68. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

69. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

70. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

71. Changes the name of the department of administrative services state budget director to the state budget officer.

72. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

73. Makes an appropriation to the department of administrative services for technology upgrades.

74. Revises the duties and authority of the state commission on aging.

75. Establishes the salary schedule applicable to certain corrections officers.

76. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

77. Establishes salaries and salary schedules for certain state officers and unclassified employees.

78. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

79. Makes an appropriation to the department of health and human services for the Choose Love Program.

80. Allows the department of health and human services to fill unfunded positions.

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81. Makes an appropriation to the foster grandparent's program.

82. Makes an appropriation to the congregate housing and services program.

83. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.

84. Suspends the provision of direct and indirect graduate medical education payments to hospitals.

85. Suspends catastrophic aid payments to hospitals.

86. Allows for additional funding for Medicaid to schools.

87. Requires submission of health facility plans to the division of fire safety.

88. Moves the health care workplace violence protection program from the department of health and human services to the department of labor, and makes an appropriation to the department of labor to hire a program specialist.

89. Establishes unclassified positions in the department of health and human services.

90. Limitations on reimbursement of county funds.

91. Makes appropriations to the department of health and human services for programs and systems.

92. Makes appropriations to the department of health and human services for Medicaid provider rate increases.

93. Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

94. Revises the workforce development program administration.

95. Reclassifies and renames positions in the department of justice to unclassified.

96. Establishes a handling charge for the division of charitable trusts.

97. Makes certain changes to the administration of programs within the department of justice.

98. Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

99. Increases the business finance authority unified contingent credit limit.

100. Appropriates from the education trust fund to the department of education for the purpose of providing kindergarten adequate education grants.

101. Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state's occupational regulatory boards and commissions.

UNAPPROVED

102. Grants a $500 additional retirement allowance in 2023 to be paid to eligible retired members or beneficiaries. The cost of the additional allowance is paid from the state general fund.

103. Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.

104. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

105. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

106. Authorizes the governor to draw a warrant to supplement the department of revenue administration's revenue information management system's bond principal and interest payments.

107. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

108. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

109. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

110. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

111. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

112. Modifies the department of military affairs and veterans services administration of certain fines and programs.

113. Directs the department of corrections to establish and administer an employee recruitment and retention program.

114. Allows the department of corrections to pay certain burial expenses of employees.

115. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

116. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

117. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.

118. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

UNAPPROVED

119. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

120. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

121. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

122. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

123. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

124. Reestablishes the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program and extends the New Hampshire granite advantage health care program.

125. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

126. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

127. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

128. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

129. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

130. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

131. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

132. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

133. Makes appropriations to the department of health and human services to support family resource

134. Establishes a committee to study the impact of alterations to the eligibility of free and reduced-price school meals.

UNAPPROVED

135. Appropriates money to the department of administrative services for the purpose of moving and fit up costs for state agencies.

136. Authorizes the purchase of land for the construction of a new seventh circuit court facility in Rochester and authorizes the sale of the old seventh circuit property upon the completion of a new facility.

137. Adjusts the source from which the department of health and human services provides reimbursement to the salary adjustment fund for certain salary review.

138. Makes an appropriation to the department of state for certain software updates and high speed scanners enabling additional Accuvote audits.

139. Provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

140. Establishes a New Hampshire housing champion designation program, including a housing production municipal grant program, and a housing infrastructure municipal grant and loan program.

141. Establishes positions within the department of business and economic affairs and makes an appropriation for the program fund.

142. Establishes a commission to study tourism and hospitality in New Hampshire.

143. Directs the deposit of liquor commission revenue into the alcohol abuse prevention and treatment fund.

144. Makes an appropriation to the liquor commission for the purchase of handheld personal computers for use at retail stores.

145. Establishes a surcharge on annual registration for electric and plug-in hybrid electric vehicles.

146. Eliminates the cap on the number of auxiliary state police force members.

147. Creates the northern border alliance program.

148. Modifies the authority and duties of police employees acting within 25 air miles of the border with Canada.

149. Modifies New Hampshire state trooper differential pay.

150. Makes an appropriation to the department of safety for the purpose of purchasing and installing protective glass at division of motor vehicles customer counters.

151. Increases the limit on the DOJ consumer protection escrow account.

152. Expands consumer protection and antitrust bureau duties.

153. Revises criteria and procedures for settlement of claims arising from detention at the youth development center.

154. Establishes the health care consumer protection trust fund and health care consumer protection advisory commission.

UNAPPROVED

155. Makes an appropriation to the department of justice to fund human trafficking prevention efforts.

156. Makes an appropriation to the department of justice for the purpose of funding the New Hampshire child advocacy centers.

157. Makes an appropriation to the internet crimes against children fund to support the work of the Internet Crimes Against Children Task Force.

158. Makes an appropriation to the police standards and training council for funding a court security officer training program and related part-time positions.

159. Makes appropriations to the judicial council to fund increase contract costs for the public defender program and for contract counsel and requires the judicial council to submit a report to the fiscal committee of the general court detailing its use of these funds.

160. Increases the cap on the cost of drug court or alternative drug offender programs offered by judicial districts based on county size.

161. Directs the fish and game department to enable online payment of OHRV and snowmobile initial and renewal registration fees by September 1, 2025.

162. Makes an appropriation to the fish and game fund.

163. Adds limitations on grants-in-aid for OHRV trails administered by the department of natural and cultural resources, bureau of trails.

164. Makes an appropriation to the department of natural and cultural resources to conduct a feasibility study on improving accessibility for people with disabilities to Hampton Beach State Park.

165. Makes an appropriation to the department of natural and cultural resources to renovate and repair the Northwood Meadows Lake Dam.

166. Makes an appropriation to the department of natural and cultural resources for the maintenance and operation of the tramway at Cannon Mountain.

167. Makes an appropriation to the department of environmental services for wastewater infrastructure projects for the biennium ending June 30, 2027.

168. Makes an appropriation to the department of environmental services for the purpose of funding a new drinking water transmission main between Nashua and Litchfield.

169. Modifies the department of environmental services pollution prevention coordinator position.

170. Makes appropriations to the department of environmental services and the department of energy to support offshore wind energy development.

171. Appropriates $10,000,000 to the department of transportation for municipal bridges, and $10,000,000 to the department of transportation for additional "Apportionment A" local highway distributions.

172. Makes an appropriation to the department of transportation to fund a state operating match that enables rural and urban transit agencies to access additional federal funds.

UNAPPROVED

173. Makes an appropriation for department of transportation for the purpose of vehicle and equipment replacements.

174. Makes an appropriation to the department of transportation to support the Eastern Slopes Regional Airport.

175. Provides for suspension of E-Z pass registration for unpaid tolls in other states.

176. Directs the department of health and human services to develop a public awareness campaign on brain health, Alzheimer's disease, and related dementias and makes an appropriation to the department for this purpose.

177. Makes an appropriation to the department of health and human services and establishes grant guidelines for the purpose of child care agency recruitment and retention.

178. Modifies the child care scholarship program by eliminating parent cost-sharing for families at or below 100 percent of the federal poverty level and establishes a reduced cost share for families between 100 and 138 percent of the federal poverty level.

179. Makes an appropriation to the department of health and human services for an audit of the integrated eligibility system.

180. Extends existing grants to, and makes an appropriation for, juvenile diversion services within the department of health and human services.

181. Funds public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under certain federal programs.

182. Directs the department of health and human services to submit a report relative to implementing area health education centers and advanced training programs for rural health and primary care personnel.

183. Extends the nonlapsing timeframe of the transitional housing beds appropriation made to the department of health and human services in 2021.

184. Extends appropriations for the developmental services pilot program plan through fiscal year 2025.

185. Makes an appropriation to the department of health and human services for the purpose of helping family mutual support providers keep pace with the cost of service provision.

186. Makes an appropriation to the department of health and human services for the purpose of funding the maternal, infant, and early childhood home visiting program.

187. Amends an appropriation to the department of health and human services for hospital care coordination, and establishes positions for such purpose.

188. Makes and appropriation for funding juvenile peer-to-peer grief support programming.

189. Makes an appropriation to the department of health and human services for the purpose of reimbursing licensed nursing assistants for tuition, training, or other continuing education.

190. Makes an appropriation to the department of health and human services for the purpose of Granite United Way administering the recovery friendly workplace initiative.

UNAPPROVED

191. Re-establishes the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program.

192. Makes appropriations to the department of health and human services to fund homeless and housing shelter programs.

193. Adds an exception from the moratorium on certain nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility capacity.

194. Expands the state's systems of care for healthy aging, increases access to home and community-based services, establishes person-centered counseling programs through aging and disability resource centers, and makes appropriations to the department of health and human services for these purposes.

195. Directs the department of health and human services, the housing finance authority, New Hampshire employment security, and the department of energy to study the creation, funding, and implementation of graduated public assistance programs to complement existing programs within the state, and appropriates funds to the department of health and human services.

196. Establishes a commission to study charitable gaming and the impact of historical horse racing on revenues for charities, and appropriates $150,000 to the lottery commission for such purposes and amends the moratorium on historic horse racing.

197. Modifies eligibility criteria for tuition waivers for children in guardianships after being in state foster care.

198. Establishes a first responder career development, recruitment, and retention program in the community college system, and makes an appropriation for the program.

199. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

200. Makes an annual appropriation to the business finance authority to provide grants to regional economic development corporations for a 10-year period.

201. Removes the campaign contribution limit under RSA 664:4 for a candidate or candidate committee.

202. Authorizes the joint legislative historical committee to accept a gift of a portrait of Rogers Johnson and hang this portrait in the state house.

203. Establishes the early childhood mental health consultation pilot program and makes an appropriation therefor.

204. Makes an appropriation to the department of education for grants to adult education programs.

205. Revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.

UNAPPROVED

Sen. D'Allesandro, Dist 20
June 1, 2023
2023-2086s
06/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 60 with the following:

60 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department of natural and cultural resources the sum of $200,000 for the fiscal year ending June 30, 2023, which shall be placed in a special nonlapsing account in the state treasury, for the purpose of designing, constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds, specifically the front-facing area of the state house. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2023-2086s

AMENDED ANALYSIS

Keep:

26. Authorizes the Christa McAuliffe memorial.

Sen. D'Allesandro, Dist 20
June 1, 2023
2023-2087s
03/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 506 and 507, which include an appropriation made to the department of natural and cultural resources to conduct a study on accessibility for people with disabilities to Hampton Beach State Park.

2023-2087s

AMENDED ANALYSIS

Delete:

164. Makes an appropriation to the department of natural and cultural resources to conduct a feasibility study on improving accessibility for people with disabilities to Hampton Beach State Park.

Sen. D'Allesandro, Dist 20
June 1, 2023
2023-2090s
05/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 73 and 74, relative to an appropriation for the New Hampshire pulp and paper manufacturing industry stabilization grant program.

2023-2090s

AMENDED ANALYSIS

Delete:

34. Makes an appropriation to the department of business and economic affairs for the New Hampshire pulp and paper manufacture industry stabilization grant program.

Sen. Lang, Dist 2
Sen. Watters, Dist 4
June 1, 2023
2023-2092s
02/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 605 the following new sections and renumbering the final effective date to the last section:

606 Career and Technical Education Incentive Grant. Recognizing the inherent transportation barriers to participation in career and technical education by students in sending school districts, there shall be established a career and technical education incentive grant, the purpose of which is to encourage transportation of students from sending career and technical education programs to receiving career and technical education programs. Awards made under this grant program shall be on a competitive basis based on criteria established by the department of education.

607 Career and Technical Education Incentive Grant; Appropriation. The department of education is hereby appropriated $4,000,000 of non-lapsing funds in the fiscal year ending June 30, 2023, for the establishment of a competitive grant program to encourage transportation of students from sending career and technical education programs to receiving career and technical education programs. The governor is authorized to draw a warrant for said sum out of any money in the education trust fund.

608 Effective Date.

I. Section 606 of this act shall take effect upon its passage.

II. Section 607 of this act shall take effect June 30, 2023.

2023-2092s

AMENDED ANALYSIS

Add:

206. Makes an appropriation to the department of education for the purpose of establishing an incentive grant program to encourage transportation of students in career and technical education programs.

Sen. D'Allesandro, Dist 20
Sen. Rosenwald, Dist 13
Sen. Altschiller, Dist 24
June 1, 2023
2023-2144s
06/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 50 with the following:

50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is hereby appropriated to the department of corrections the sum of $7,000,000 for the fiscal year ending June 30, 2023 for deposit in the New Hampshire state prison fund under RSA 21-H:17, for the purpose of preliminary design and complete site survey for a new state prison. The sum appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2023-2144s

AMENDED ANALYSIS

Keep:

22. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

Sen. Lang, Dist 2
June 5, 2023
2023-2112s
10/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new section and renumbering the effective date to be the last numbered section:

605 Appropriation; Department of Administrative Services; Laconia Services Reimbursement. The sum of $3,000,000 is hereby appropriated for the biennium ending June 30, 2025, to the department of administrative services for reimbursement of the city of Laconia for expenditures related to the public water, sewer and road infrastructure improvements needed for the development of the former Laconia state school campus property. The use of the foregoing appropriation is conditioned upon the prior successful closing of a sale of the former Laconia state school campus property. The sum hereby appropriated shall be a charge against the proceeds from any sale of the former Laconia state school campus property and expended by the commissioner of administrative services. Any unexpended amount shall lapse to the general fund.

2023-2112s

AMENDED ANALYSIS

Add:

206. Establishes an account in the department of administrative services for the city of Laconia to receive reimbursement for public water, sewer and road infrastructure improvements needed for the development of the former Laconia state school campus property.

Sen. Fenton, Dist 10
Sen. Soucy, Dist 18
Sen. Rosenwald, Dist 13
Sen. Whitley, Dist 15
Sen. Prentiss, Dist 5
Sen. Altschiller, Dist 24
June 5, 2023
2023-2153s
10/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new section and renumbering the effective date to be the last numbered section:

605 New Section; Department of Education; Rural and Underserved Area Educator Incentive Program. Amend RSA 21-N by inserting after section 8-d (Recruitment of Educators) the following new section:

21-N:8-e Rural and Underserved Area Educator Incentive Program.

I. In this section:

(a) "Department" means the department of education.

(b) "Division" means the division of educator support and higher education.

(c) "Commission" means the New Hampshire higher education commission.

(d) "Educational loans" means all loans made pursuant to a federal loan 26 program, except federal parent loans for undergraduate students (PLUS), as provided in 20 U.S.C. section 1078-2.

(e) "Eligible educational expenses" means any outstanding loans payments made during the school year.

(f) "Federal loan program" means educational loans authorized by 20 U.S.C. section 1071 et seq., 20 U.S.C. section 1087a et seq., and 20 U.S.C. section 1087aa et seq.

(g) "Rural and underserved area educator" means a full-time, credentialed individual employed as an instructional or pupil service employee in an eligible public school district or at an eligible chartered public school.

(h) "Rural school district" means:

(1) There are fewer than 20 enrolled students per square mile within the area encompassed by the school district's boundaries; or

(2) The regional public health network in which a plurality of the school district's market value for assessment purposes is located is deemed rural as defined by the department of health and human services, division of public health.

II. The department shall identify specific schools that are affected by critical educator shortages using the following criteria:

(a) Rural isolation of the school; or

(b) Economic disadvantage of the school based on eligibility for funds pursuant to title I, part A of the federal Elementary and Secondary Education Act, as amended.

III. Rural and underserved area educators who are employed at schools identified in paragraph II shall be eligible for repayment of all or part of any such educator's outstanding educational loans existing at the time of application in accordance with the eligibility and award criteria established in this section up to the amount specified in this section, or repayment of eligible education expenses established by the commission, and in rules adopted by the commission pursuant to RSA 541-A.

IV. Loan repayment assistance or the reimbursement of eligible education expenses may be provided on behalf of a rural and underserved area educator who:

(a) Is employed in a school identified in paragraph II;

(b) Has a signed contract with such school; and

(c) Has an educational loan that is not in default and that has a minimum unpaid current balance of at least $1,000 or has at least $1,000 in eligible education expenses at the time of application; or

(d) Has eligible education expenses that may be reimbursed pursuant to this section.

V. To qualify for loan repayment assistance or education expense reimbursement under this section, a rural and underserved area educator shall submit an application to the commission. For loan repayment applications, the application shall include official verification or proof of the applicant's total unpaid accumulated educational loan debt and any other documentation as required by the department for verification of the applicant's eligibility.

VI. A rural and underserved area educator shall be eligible for loan repayment assistance or eligible educational expenses for up to 4 years, provided that the educator remains employed at the same school or by the same school district. The department may remit payment of the loan on behalf of the rural and underserved area educator in accordance with the requirements of this section and rules adopted by the commission.

VII. The total incentive award shall be:

(a) In the amount of $1,500 for the first year;

(b) In the amount of $2,500 for the second year;

(c) In the amount of $3,500 for the third year; and

(d) In the amount of $4,500 for the fourth year.

VIII. The commission shall adopt rules pursuant to RSA 541-A to establish protocols for determining the number of incentive awards that will be made annually based on available appropriations for the program.

IX. Incentive awards under this section shall be offered to the extent of available funding.

606 Rural and Underserved Area Educator Incentive Program; Appropriation. There is hereby appropriated $3,000,000 for the fiscal year ending June 30, 2023 to the department of education, division of educator support and higher education, for the purpose of funding the rural and underserved, for the purpose of funding the rural and underserved area educator incentive program established in RSA 21-N:8-e. All funds appropriated for the program shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

607 Effective Date.

I. Section 606 of this act shall take effect June 30, 2023.

II. Section 605 of this act shall take effect upon its passage.

2023-2153s

AMENDED ANALYSIS

Add:

206. Establishes the rural and underserved area educator incentive program and makes an appropriation therefor.

Sen. Bradley, Dist 3
Sen. Gray, Dist 6
June 6, 2023
2023-2139s
05/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 43 with the following:

43 Appropriation; Affordable Housing Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established by RSA 204-C:57, the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend the bill by replacing section 466 with the following:

466 Appropriations; Housing Champion Designation and Grant Program Fund.

I. The sum of $5,000,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the New Hampshire housing champion designation and grant program fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of $250,000 for the fiscal year ending June 30, 2023, which shall not lapse until June 30, 2025, is hereby appropriated to the department of business and economic affairs for the purpose of administering the housing champion program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Sen. Bradley, Dist 3
June 6, 2023
2023-2140s
03/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new sections and renumbering the final effective date to be the last section:

605 New Section; Immigration Checkpoints. Amend RSA 265 by inserting after section 1-c the following new section:

265:1-d Immigration Checkpoints. When any state, county, or municipal police department or law enforcement agency is informed by a federal agency of intent to conduct an immigration checkpoint, the department or agency shall give notice to the public within 24 hours of when the checkpoint is scheduled to occur or as soon as is practical. The notice shall disclose, if known, the date, municipality, and geographical area in which the checkpoint will occur. Notice to the public shall be provided by publishing this information on the government agency's website.

2023-2140s

AMENDED ANALYSIS

Insert:

206. Requires a law enforcement agency to provide public notice of an immigration checkpoint.

Sen. Perkins Kwoka, Dist 21
Sen. Avard, Dist 12
Sen. Carson, Dist 14
Sen. Altschiller, Dist 24
June 6, 2023
2023-2141s
03/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 343 with the following:

343 Effective Date.

I. Sections 266-300 and 302-341 of this act shall take effect September 1, 2023.

II. Section 301 of this act shall take effect July 1, 2024.

Sen. D'Allesandro, Dist 20
Sen. Soucy, Dist 18
Sen. Rosenwald, Dist 13
Sen. Whitley, Dist 15
June 6, 2023
2023-2143s
07/05

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new section and renumbering the effective date to be the last numbered section:

605 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-M:11-a, V to read as follows:

V. For all claims involving both sexual and physical abuse or sexual abuse only, no individual claimant shall be paid more than $1,500,000 in settlement of all claims in the aggregate. For all claims involving physical abuse only, no individual claimant shall be paid more than $150,000 in settlement of all physical abuse claims in the aggregate. ***The attorney general designee and the administrator may authorize an individual claimant's settlement to be more than $1,500,000 when the nature and character of the acts of abuse, or the frequency and duration of those acts, are so egregious that the deciding parties deem a higher settlement necessary. In no instance shall any individual claimant be paid more than the threshold amount at which a financial settlement would be subject to legislative approval under RSA 14:35-b.***

2023-2143s

AMENDED ANALYSIS

Keep:

153. Revises criteria and procedures for settlement of claims arising from detention at the youth development center.

Sen. D'Allesandro, Dist 20
Sen. Rosenwald, Dist 13
Sen. Watters, Dist 4
Sen. Perkins Kwoka, Dist 21
Sen. Altschiller, Dist 24
June 6, 2023
2023-2147s
03/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 62, 63, and 64, which establish a commission on New Hampshire civics and make an appropriation to the department of education and commission to create a statewide civics textbook.

2023-2147s

AMENDED ANALYSIS

Delete:

29. Establishes a commission on New Hampshire civics and makes an appropriation to the department of education and commission for the purpose of funding a New Hampshire civics textbook.

Sen. Soucy, Dist 18
Sen. Watters, Dist 4
Sen. Prentiss, Dist 5
Sen. Fenton, Dist 10
Sen. Chandley, Dist 11
Sen. Rosenwald, Dist 13
Sen. Whitley, Dist 15
Sen. D'Allesandro, Dist 20
Sen. Perkins Kwoka, Dist 21
Sen. Altschiller, Dist 24
June 6, 2023
2023-2148s
10/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new sections and renumbering the final effective date to be the last section:

605 Definition of Earnable Compensation; Group II. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For ***group I*** members who have attained vested status prior to January 1, 2012 the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. [~~Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII~~]. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension

plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b)(1) For ***group I*** members who have not attained vested status prior to January 1, 2012, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2)[~~, (3), and (4)~~] ***and (3)***, any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system[, ~~compensation for extra and special duty,~~] and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation and teacher development pay that is not part of the contracted annual salary.

(2) [~~Compensation over base pay shall be limited during the highest 5 years of creditable service as provided in paragraph XVIII.~~

~~(3)~~] Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

[~~(4)~~] ***(3)*** Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in

the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

(c) For group II members who have attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for instructional activities, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation. Compensation for extra and special duty, as reported by the employer, shall be included, but limited during the highest 3 years of creditable service as provided in paragraph XVIII. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that

any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(d)(1) For group II members who have not attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2), and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, compensation for extra and special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation that is not part of the contracted annual salary.

(2) Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

(3) Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

606 Definition of Average Final Compensation; Group II. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For *group I* members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. [~~For purposes~~

~~of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.~~]

(b) ***For group II members who have attained vested status prior to January 1, 2013, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.***

[~~(b)~~] ***(c)*** For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

[~~(c)(1)~~] ***(d)(1)*** For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, [~~2012~~] ***2013***, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012***, but excluding the highest 5 years.***

(2) For group II members who commenced service on or after July 1, 2011 [~~and who have not attained vested status prior to January 1, 2012~~], the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in

excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

607 Group II Service Retirement Benefits. Amend RSA 100-A:5, II to read as follows:

II. Group II Members.

(a) Any group II member in service, who is in vested status before January 1, [~~2012~~] ***2013***, who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25 years of creditable service, and group II members who have not attained vested status prior to January 1, [~~2012~~] ***2013*** as provided in the transition provisions in RSA 100-A:5, II(d), or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of retirement; and

(2) For members who are in vested status before January 1, [~~2012~~] ***2013***, a state annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years, and group II members who have not attained vested status prior to January 1, [~~2012~~] ***2013*** shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of 40.5 years.

(3) Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before January 1, [~~2012~~] ***2013*** and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to January 1, [~~2012~~] ***2013*** who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of $10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the $10,000.

(2) [Repealed.]

(3) [Repealed.]

(d) Active group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, [~~2012~~] ***2013*** shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and the multiplier used to calculate the retirement annuity[~~, which shall be applicable on or after January 1, 2012~~] according to the following table:

Creditable service on January 1, 2012	Minimum years of service	Minimum age attained	Annuity multiplier
[~~(1) Less than 4 years~~	~~24~~	~~age 49~~	~~2.1%~~
~~(2) At least 4 years but less than 6 years~~	~~23~~	~~age 48~~	~~2.2%~~
~~(3) At least 6 years but less than 8 years~~	~~22~~	~~age 47~~	~~2.3%~~
~~(4) At least 8 years but less than 10 years~~]	~~21~~	~~age 46~~	~~2.4%~~
(1) Less than 1 year	**24**	**age 49**	**2.5%**
(2) At least 1 years but less than 2 years	**24**	**age 49**	**2.5%**
(3) At least 2 years but less than 3 years	**24**	**age 49**	**2.5%**
(4) At least 3 years but less than 4 years	**24**	**age 49**	**2.5%**
(5) At least 4 years but less than 5 years	**23**	**age 48**	**2.5%**
(6) At least 5 years but less than 6 years	**23**	**age 48**	**2.5%**

(7) At least 6 years but less than 7 years	**22**	**age 47**	**2.5%**
(8) At least 7 years but less than 8 years	**22**	**age 47**	**2.5%**
(9) At least 8 years but less than 9 years	**21**	**age 46**	**2.5%**

(e) Notwithstanding the transition provisions of subparagraph (d), the member may replace the additional years of service required for minimum retirement age with the years of service that are purchased under RSA 100-A:4, IX. Therefore, allowing the member to retire between the age of 45 and 49 depending upon the years of service purchased. The purchased years under RSA 100-A:4, IX shall have an annual multiplier of 2.5 percent regardless of the percentage listed in subparagraph (d).

608 Retirement; Maximum Retirement Benefit. Amend RSA 100-A:6-a to read as follows:

100-A:6-a Maximum Retirement Benefit.

(a) Notwithstanding any other provision of this chapter to the contrary, for members who commenced service before [~~July 1, 2009~~] ***July 1, 2001***, [~~or have attained vested status prior to January 1, 2012,~~] a member's initial calculation of the retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year of earnable compensation.

(b) For members who commenced service on or after [~~July 1, 2009 and have not attained vested status prior to January 1, 2012,~~] ***July 1, 2001 and before July 1, 2011,*** a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of [~~85~~] ***100*** percent of the member's average final compensation or $120,000.

(c) For members who commenced service on or after July 1, 2011, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of 85 percent of the member's average final compensation or $120,000.

(d) Nothing in this section shall affect the ability of a member to receive disability benefits pursuant to RSA 100-A:6, II(b) and (c). This provision shall not limit the application of supplemental allowances.

609 Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2012" with the term "January 1, 2013": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d.

610 Subsequent Changes Effective January 1, 2025; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2013" with the term "January 1, 2014": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (9) from the table in RSA 100-A:5, II(d).

611 Subsequent Changes Effective January 1, 2026; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2014" with the term "January 1, 2015": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (8) from the table in RSA 100-A:5, II(d).

612 Subsequent Changes Effective January 1, 2027; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2015" with the term "January 1, 2016": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (7) from the table in RSA 100-A:5, II(d).

613 Subsequent Changes Effective January 1, 2028; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2016" with the term "January 1, 2017": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (6) from the table in RSA 100-A:5, II(d).

614 Subsequent Changes Effective January 1, 2029; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2017" with the term "January 1, 2018": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (5) from the table in RSA 100-A:5, II(d).

615 Subsequent Changes Effective January 1, 2030; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the

following RSA provisions by replacing the term "January 1, 2018" with the term "January 1, 2019": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (4) from the table in RSA 100-A:5, II(d).

616 Subsequent Changes Effective January 1, 2031; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2019" with the term "January 1, 2020": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (3) from the table in RSA 100-A:5, II(d).

617 Subsequent Changes Effective January 1, 2032; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2020" with the term "January 1, 2021": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (2) from the table in RSA 100-A:5, II(d).

618 Subsequent Changes Effective January 1, 2033; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions as follows:

I. 21-I:30, VIII; remove "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

II. 100-A:1, XVII(c); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

III. 100-A:1, XVII(d)(1); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service on or after July 1, 2011".

IV. 100-A:1, XVIII(b); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

V. 100-A:1, XVIII(d)(1); delete subparagraph (1).

VI. 100-A:1, XXXVII (b)(1) and (3); in (1), replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

VII. 100-A:5, II(a); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

VIII. 100-A:5, II(b)(2); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete ", and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d) with maximum number of years of credible service not in excess of 40.5 years".

IX. 100-A:5, II(c)(1); replace "who is in vested status before January 1, 2021 and" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

X. 100-A:5, II(d), delete the subparagraph.

XI. 100-A:6, II(b); replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2021 as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of credible service not in excess of 40.5 years".

XII. 100-A:6, II(d)(1) and (3); in (1) replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

XIII. 100-A:10, II(b); replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011". Delete "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

XIV. 100-A:16, I(aa); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011".

XV. 100-A:19-b, II(a) and (c); in (a)replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011", and delete subparagraph (c).

XVI. 100-A:19-d; replace "for members who are in vested status with Group II service before January 1, 2012" with "for members who commenced service before July 1, 2011".

619 Retirement System; Group II; Funding; Communications Services Tax; Appropriations.

I. 2022, 184:2 is repealed, and the unexpended sums authorized in the appropriation under such section shall be used by the retirement system to fund the cost of implementing sections 605-618 of this act.

II. Beginning with state fiscal year ending June 30, 2026 and extending through the completion of the requirements of sections 605-618 of this act in 2033, $25,000,000 in annual revenues collected under RSA 82-A, the communications services tax, for the 6-year period from fiscal year 2026 through the end of fiscal year 2031, shall be appropriated to the retirement system to fund the cost of implementing sections 605-618 of this act. The governor is authorized to draw a warrant for said sums.

620 Effective Date.

I. Section 610 of this act shall take effect January 1, 2025.

II. Section 611 of this act shall take effect January 1, 2026.

III. Section 612 of this act shall take effect January 1, 2027.

IV. Section 613 of this act shall take effect January 1, 2028.

V. Section 614 of this act shall take effect January 1, 2029.

VI. Section 615 of this act shall take effect January 1, 2030.

VII. Section 616 of this act shall take effect January 1, 2031.

VIII. Section 617 of this act shall take effect January 1, 2032.

IX. Section 618 of this act shall take effect January 1, 2033.

X. Sections 605-609 of this act shall take effect January 1, 2024.

2023-2148s

AMENDED ANALYSIS

Add:

206. Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and funds the cost by transferring a 2022 appropriation to the retirement system and directing that revenues from the communications services tax be transferred to the retirement system for the costs of the provisions.

Sen. Rosenwald, Dist 13
Sen. Soucy, Dist 18
Sen. Whitley, Dist 15
Sen. Prentiss, Dist 5
Sen. Perkins Kwoka, Dist 21
Sen. Chandley, Dist 11
Sen. Altschiller, Dist 24
Sen. Fenton, Dist 10
June 6, 2023
2023-2151s
10/08

Floor Amendment to HB 2-FN-A-LOCAL

Replace section 334 with the following sections:

334 Retirement System Costs; State Funding; Appropriation. For the state fiscal years ending June 30, 2024 and June 30, 2025, the state shall pay to each political subdivision an amount equal to 5 percent of both the normal and accrued liability contributions of each political subdivision for benefits under the retirement system on account of its group II members and group I teacher members. The board of trustees of the retirement system shall certify the amount required for each such state payment and total amount of the state grants to the treasurer. Amounts will be based on actual payroll data from the fiscal year ending June 30, 2023 for the distribution to be made in the state fiscal year ending June 30, 2024 and actual payroll data from the fiscal year ending June 30, 2024 for the distribution to be made in the state fiscal year ending June 30, 2025. The funds appropriated for this section shall not be used to supplant budgeted funds, shall not be considered unanticipated money pursuant to RSA 31:95-b, and shall be reported as revenue on the DRA MS 434 for the purpose of providing property tax relief.

334-a Appropriation; Retirement System. There is hereby appropriated to the retirement system the sum of $36,200,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing until June 30, 2025 for the purpose of the state share of the employer contribution rates. The governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

334-b Effective Date. Section 334-a shall take effect June 30, 2023.

2023-2151s

AMENDED ANALYSIS

Replace 96 with the following:

96. Provides for a one-time state contribution of 5 percent of political subdivision employer costs of the retirement liabilities of certain teachers, firefighters, and police officers within the state retirement system.

Sen. Rosenwald, Dist 13
Sen. Soucy, Dist 18
Sen. Whitley, Dist 15
Sen. Altschiller, Dist 24
June 6, 2023
2023-2154s
05/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by deleting sections 85 - 88, relative to the accelerated phase out of the interest and dividends tax.

Amend the bill by inserting after section 604 the following new section and renumbering the effective date to be the last numbered section:

605 Taxation of Incomes; Who Taxable. Amend RSA 77:3, I to read as follows:

I. Taxable income is that income received from interest and dividends during the tax year prior to the assessment date by:

(a) Individuals who are inhabitants or residents of this state for any part of the taxable year whose gross interest and dividend income from all sources, including income from a qualified investment company pursuant to RSA 77:4, V, exceeds [~~$2,400~~] ***$50,000*** during that taxable period.

(b) Partnerships, limited liability companies, and associations, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds [~~$2,400~~] ***$50,000*** during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

(c) Executors deriving their appointment from a court of this state whose gross interest and dividend income from all sources exceeds [~~$2,400~~] ***$50,000*** during the taxable year.

2023-2154s

AMENDED ANALYSIS

Delete:

39. Moves the repeal of the interest and dividends tax from 2027 to 2025.

Insert:

206. Increases the taxable minimum of gross income from interest and dividends.

Sen. Whitley, Dist 15
Sen. Rosenwald, Dist 13
Sen. Chandley, Dist 11
Sen. Prentiss, Dist 5
June 6, 2023
2023-2158s
02/10

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new sections and renumbering the effective date to be the last numbered section:

605 New Paragraphs; School Boards; Food and Nutrition Programs; Medicaid Direct Certification. Amend RSA 189:11-a by inserting after paragraph VIII the following new paragraphs:

IX. The department of education shall seek participation in the demonstration projects for states to evaluate the impact of using Medicaid eligibility data to directly certify students for free and reduced price school meals administered by the United States Department of Agriculture (USDA). The department of health and human services shall assist the department of education as needed in pursuing and implementing Medicaid direct certification.

X. The department of education and department of health and human services shall submit an application for participation in the demonstration projects for states to evaluate the impact of using Medicaid eligibility data to directly certify students for free and reduced price school meals administered by the United States Department of Agriculture (USDA) no later than September 1, 2023. Because the USDA permits state agencies to conduct direct certification with Medicaid for free and reduced price school meals in a portion of the local educational agencies within a state, the application submitted by the department of education and department of health and human services shall include only the following New Hampshire municipalities which, based on federal fiscal year 2021 data, had participation in the Supplemental Nutrition Assistance Program at 11 percent and above: Cambridge, Stratford, Berlin, Claremont, Winchester, Colebrook, Newport, Franklin, Northumberland, and Laconia.

XI. Within 30 days of acceptance into the demonstration projects for states to evaluate the impact of using Medicaid eligibility data to directly certify students for free and reduced price school meals administered by the United States Department of Agriculture (USDA), the department of education and department of health and human services shall implement the program.

XII. School districts shall provide notice to parents of children who are identified as eligible for free or reduced meals through Medicaid Direct Certification that they can choose to opt out of the free and reduced school lunch program.

606 Notwithstanding the provisions of RSA 198:39, I, the sum of $425,000 in the fiscal year ending June 30, 2023, is hereby appropriated from the education trust fund to the department of

education for the purpose of funding one new program specialist II position and covering costs associated with section 605 of this act. Any unexpended amounts shall lapse to the education trust fund on June 30, 2025. The governor is authorized to draw a warrant out of any money in the education trust fund not otherwise appropriated.

607 Effective Date. Section 606 of this act shall take effect June 30, 2023.

2023-2158s

AMENDED ANALYSIS

Add:

206. Directs the department of education to seek participation in the demonstration projects for states to evaluate the impact of using Medicaid eligibility data to directly certify students for free and reduced price school meals administered by the United States Department of Agriculture.

Sen. Soucy, Dist 18
Sen. Watters, Dist 4
Sen. Prentiss, Dist 5
Sen. Fenton, Dist 10
Sen. Chandley, Dist 11
Sen. Rosenwald, Dist 13
Sen. Whitley, Dist 15
Sen. D'Allesandro, Dist 20
Sen. Perkins Kwoka, Dist 21
Sen. Altschiller, Dist 24
June 7, 2023
2023-2164s
10/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new sections and renumbering the final effective date to be the last section:

605 Definition of Earnable Compensation; Group II. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For ***group I*** members who have attained vested status prior to January 1, 2012 the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. [~~Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII~~]. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension

plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b)(1) For ***group I*** members who have not attained vested status prior to January 1, 2012, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2)[~~, (3), and (4)~~] ***and (3)***, any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system[, ~~compensation for extra and special duty,~~] and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation and teacher development pay that is not part of the contracted annual salary.

(2) [~~Compensation over base pay shall be limited during the highest 5 years of creditable service as provided in paragraph XVIII.~~

~~(3)~~] Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

[~~(4)~~] ***(3)*** Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in

the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[~~,~~] ***and*** teachers[~~, permanent firemen, and permanent policemen~~] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

(c) For group II members who have attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for instructional activities, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation. Compensation for extra and special duty, as reported by the employer, shall be included, but limited during the highest 3 years of creditable service as provided in paragraph XVIII. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that

any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(d)(1) For group II members who have not attained vested status prior to January 1, 2013, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2), and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, compensation for extra and special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation that is not part of the contracted annual salary.

(2) Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

(3) Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all permanent firemen and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

606 Definition of Average Final Compensation; Group II. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For ***group I*** members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. [~~For purposes~~

~~of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.~~]

(b) ***For group II members who have attained vested status prior to January 1, 2013, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.***

[~~(b)~~] ***(c)*** For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

[~~(c)(1)~~] ***(d)(1)*** For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, [~~2012~~] ***2013***, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012***, but excluding the highest 5 years.***

(2) For group II members who commenced service on or after July 1, 2011 [~~and who have not attained vested status prior to January 1, 2012~~], the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in

excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

607 Group II Service Retirement Benefits. Amend RSA 100-A:5, II to read as follows:

II. Group II Members.

(a) Any group II member in service, who is in vested status before January 1, 2012, who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25 years of creditable service, and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d), or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of retirement; and

(2) For members who are in vested status before January 1, 2012, a state annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years, and group II members who have not attained vested status prior to January 1, 2012 shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of [~~40.5~~] ***40*** years.

(3) Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before January 1, 2012 and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to January 1, 2012 who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of $10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the $10,000.

(2) [Repealed.]

(3) [Repealed.]

(d) Active group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, 2012 shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and the multiplier used to calculate the retirement annuity[~~, which shall be applicable on or after January 1, 2012~~] according to the following table:

Creditable service on January 1, 2012	Minimum years of service	Minimum age attained	Annuity multiplier
[~~(1) Less than 4 years~~	~~24~~	~~age 49~~	~~2.1%~~
~~(2) At least 4 years but less than 6 years~~	~~23~~	~~age 48~~	~~2.2%~~
~~(3) At least 6 years but less than 8 years~~	~~22~~	~~age 47~~	~~2.3%~~
~~(4) At least 8 years but less than 10 years~~]	~~21~~	~~age 46~~	~~2.4%~~
(1) Less than 1 year	**24**	**age 49**	**2.5%**
(2) At least 1 years but less than 2 years	**24**	**age 49**	**2.5%**
(3) At least 2 years but less than 3 years	**24**	**age 49**	**2.5%**
(4) At least 3 years but less than 4 years	**24**	**age 49**	**2.5%**
(5) At least 4 years but less than 5 years	**23**	**age 48**	**2.5%**
(6) At least 5 years but less than 6 years	**23**	**age 48**	**2.5%**

(7) At least 6 years but less than 7 years	**age 47**	**2.5%**
(8) At least 7 years but less than 8 years	**age 47**	**2.5%**
(9) At least 8 years but less than 9 years	**age 46**	**2.5%**
(10) At least 9 years but less than 10 years	**age 46**	**2.5%**

(e) Notwithstanding the transition provisions of subparagraph (d), the member may replace the additional years of service required for minimum retirement age with the years of service that are purchased under RSA 100-A:4, IX. Therefore, allowing the member to retire between the age of 45 and 49 depending upon the years of service purchased. The purchased years under RSA 100-A:4, IX shall have an annual multiplier of 2.5 percent regardless of the percentage listed in subparagraph (d).

608 Retirement; Maximum Retirement Benefit. Amend RSA 100-A:6-a to read as follows:

100-A:6-a Maximum Retirement Benefit.

(a) Notwithstanding any other provision of this chapter to the contrary, for members who commenced service before [~~July 1, 2009~~] ***July 1, 2001***, [~~or have attained vested status prior to January 1, 2012,~~] a member's initial calculation of the retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year of earnable compensation.

(b) For members who commenced service on or after [~~July 1, 2009 and have not attained vested status prior to January 1, 2012,~~] ***July 1, 2001 and before July 1, 2011,*** a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of [~~85~~] ***100*** percent of the member's average final compensation or $120,000.

(c) For members who commenced service on or after July 1, 2011, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of 85 percent of the member's average final compensation or $120,000.

(d) Nothing in this section shall affect the ability of a member to receive disability benefits pursuant to RSA 100-A:6, II(b) and (c). This provision shall not limit the application of supplemental allowances.

609 Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2012" with the term "January 1, 2013": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

610 Subsequent Changes Effective January 1, 2025; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2013" with the term "January 1, 2014": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

611 Subsequent Changes Effective January 1, 2026; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2014" with the term "January 1, 2015": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

612 Subsequent Changes Effective January 1, 2027; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2015" with the term "January 1, 2016": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

613 Subsequent Changes Effective January 1, 2028; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2016" with the term "January 1, 2017": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

614 Subsequent Changes Effective January 1, 2029; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2017" with the term "January 1, 2018": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

615 Subsequent Changes Effective January 1, 2030; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2018" with the term "January 1, 2019": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

616 Subsequent Changes Effective January 1, 2031; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2019" with the term "January 1, 2020": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

617 Subsequent Changes Effective January 1, 2032; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the

following RSA provisions by replacing the term "January 1, 2020" with the term "January 1, 2021": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:16, I(aa).

618 Subsequent Changes Effective January 1, 2033; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions as follows:

I. 21-I:30, VIII; remove "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

II. 100-A:1, XVII(c); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

III. 100-A:1, XVII(d)(1); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service on or after July 1, 2011".

IV. 100-A:1, XVIII(b); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

V. 100-A:1, XVIII(d)(1); delete subparagraph (1).

VI. 100-A:1, XXXVII (b)(1) and (3); in (1), replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

VII. 100-A:5, II(a); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

VIII. 100-A:5, II(b)(2); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete ", and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d) with maximum number of years of credible service not in excess of 40 years".

IX. 100-A:5, II(c)(1); replace "who is in vested status before January 1, 2021 and" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d),".

X. 100-A:6, II(b); replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011"; delete "and group II members who have not attained vested status prior to January 1, 2021 as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of credible service not in excess of 40 years".

XI. 100-A:6, II(d)(1) and (3); in (1) replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

XII. 100-A:10, II(b); replace "who are in vested status before January 1, 2021" with "who commenced service before July 1, 2011". Delete "and group II members who have not attained

vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

XIII. 100-A:16, I(aa); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011".

XIV. 100-A:19-b, II(a) and (c); in (a) replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011", and delete subparagraph (c).

XV. 100-A:19-d; replace "for members who are in vested status with Group II service before January 1, 2012" with "for members who commenced service before July 1, 2011".

619 Disability Retirement; Transition Provision. Amend RSA 100-A:6, II(b) to read as follows:

(b) Upon ordinary disability retirement, the group II member shall receive an ordinary disability retirement allowance which shall consist of: a member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of his or her ordinary disability retirement; and a state annuity which, together with his or her member annuity, for members who are in vested status before January 1, 2012, shall be equal to 2 1/2 percent of his or her average final compensation at the time of ordinary disability retirement multiplied by the number of years of his or her creditable service not in excess of 40 at the time of ordinary disability retirement, or for members who commenced service on or after July 1, 2011, shall be equal to 2 percent of his or her average final compensation at the time of ordinary disability retirement multiplied by the number of years of his or her creditable service not in excess of 42.5 at the time of ordinary disability retirement, and group II members who have not attained vested status prior to January 1, 2012 shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of [~~40.5~~] ***40*** years provided, however, that such allowance shall not be less than 25 percent of the member's final compensation at the time of his or her disability retirement.

620 Retirement System; Group II; Funding; Communications Services Tax; Appropriations.

I. 2022, 184:2 is repealed, and the unexpended sums authorized in the appropriation under such section shall be used by the retirement system to fund the cost of implementing sections 605-619 of this act.

II. Beginning with state fiscal year ending June 30, 2026 and extending through the completion of the requirements of sections 605-619 of this act in 2033, $25,000,000 in annual revenues collected under RSA 82-A, the communications services tax, for the 6-year period from fiscal year 2026 through the end of fiscal year 2031, shall be appropriated to the retirement system to fund the cost of implementing sections 605-619 of this act. The governor is authorized to draw a warrant for said sums.

621 Effective Date.

I. Section 610 of this act shall take effect January 1, 2025.

II. Section 611 of this act shall take effect January 1, 2026.

III. Section 612 of this act shall take effect January 1, 2027.

IV. Section 613 of this act shall take effect January 1, 2028.

V. Section 614 of this act shall take effect January 1, 2029.

VI. Section 615 of this act shall take effect January 1, 2030.

VII. Section 616 of this act shall take effect January 1, 2031.

VIII. Section 617 of this act shall take effect January 1, 2032.

IX. Section 618 of this act shall take effect January 1, 2033.

X. Sections 605-609 of this act shall take effect January 1, 2024.

2023-2164s

AMENDED ANALYSIS

Add:

206. Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and funds the cost by transferring a 2022 appropriation to the retirement system and directing that revenues from the communications services tax be transferred to the retirement system for the costs of the provisions.

Sen. Bradley, Dist 3
June 7, 2023
2023-2171s
05/07

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by inserting after section 604 the following new sections and renumbering the effective date to be the last numbered section:

605 Findings; Children's Mental Health. The general court recognizes that the ongoing mental health, substance misuse, and child protection crises have taken a significant toll on New Hampshire's children, families, and taxpayers, and New Hampshire schools are challenged daily to support the behavioral health needs of students while promoting academic achievement for all students. In response, the New Hampshire department of education's office of social and emotional wellness has supported approximately 37 New Hampshire school districts in implementing an evidence-based prevention framework to support the behavioral health and wellness of all students, called multi-tiered system of support for behavioral health and wellness, or MTSS-B. MTSS-B is a key component of the system of care established under RSA 135-F.

606 Appropriation; Department of Education; Children's Mental Health; MTSS-B Framework. The sum of $900,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the department of education to perform the statutory duties described under RSA 135-F:5. The appropriation contained in this section shall lapse in the event suitable federal funding for equal or higher value than the appropriation contained in this section is received, or on June 30, 2025, which ever is earlier. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

607 Effective Date. Section 606 of this act shall take effect June 30, 2023.

2023-2171s

AMENDED ANALYSIS

Add:

206. Makes an appropriation to the department of education to perform the statutory duties related to the children's system of care system of care under RSA 135-F:5.

Committee Minutes

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: April 5, 2023

Monday	04/10/2023	
(Day)	(Date)	
Finance	State House 103	1:00 p.m.
(Name of Committee)	(Place)	(Time)

HOUSE BUDGET PRESENTATION

1:00 p.m.	Presentation of HB 1-A and HB 2-FN-A-LOCAL by House Finance Committee Chair Ken Weyler and House Finance Committee Members.
2:00 p.m.	Legislative Budget Assistant Presentation on Surplus Statement to Senate Finance Committee.

AGENCY BUDGET PRESENTATIONS

2:45 p.m.	Pease Development Authority
2:55 p.m.	Banking Department
3:05 p.m.	Department of Labor
3:15 p.m.	New Hampshire Employment Security
3:25 p.m.	Insurance Department

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: April 19, 2023

Wednesday	04/26/2023
(Day)	(Date)

Finance	State House 103	2:00 p.m.
(Name of Committee)	(Place)	(Time)

2:00 p.m. **DELIBERATIVE SESSION: HB 1-A AND HB 2-FN-A-L**

EXECUTIVE SESSION MAY FOLLOW

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: April 25, 2023

HEARING

Tuesday	05/02/2023	
(Day)	(Date)	
Finance	State House Reps Hall	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**HB 1-A**	making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2024 and June 30, 2025.
1:00 p.m.	**HB 2-FN-A-LOCAL**	relative to state fees, funds, revenues, and expenditures.

Sponsors:
HB 1-A
Rep. Weyler Rep. Leishman Rep. Emerick Rep. Edwards
HB 2-FN-A-LOCAL
Rep. Weyler

Deb Martone 271-4980

James P. Gray
Chairman

AMENDED
Senate Finance Committee
Deb Martone 271-4980

HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures.

Hearing Date: May 2, 2023

Time Opened: 1:00 p.m. **Time Closed:** 7:02 p.m.

Members of the Committee Present: Senators Gray, Innis, Bradley, Pearl, D'Allesandro and Rosenwald

Members of the Committee Absent: Senator Birdsell

Bill Analysis: This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Limits retirement system eligibility for full time community college system employees to only those participating prior to January 1, 2024.

5. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

6. Authorizes the liquor commission to transfer funds for its employee incentive program.

7. Establishes new unclassified positions within the department of corrections.

8. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

9. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system, and removes the position of professional standards director from the department of corrections.

10. Makes certain organizational changes to the office of the commissioner of the department of environmental services.

11. Alters the hearings process within the department of environmental services, for the wetlands council, water council, and air resources council to be under the attorney general.

12. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resources fund.

13. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

14. Modifies the wastewater plant operator certification fund to be continuously appropriated.

15. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

16. Clarifies the chargeable area for fees associated with terrain alteration disturbances.

17. Removes certain limitations to the Winnipesaukee River basin control program.

18. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

19. Establishes the InvestNH Program.

20. Makes an appropriation for the Affordable Housing Fund.

21. Repeals statutes related to the advanced manufacturing education advisory council, membership and terms, duties, and the advanced manufacturing education fund.

22. Creates a computer science and STEM administrator for the department of education.

23. Creates a new chapter for a computer science educator program.

24. Creates the establishment of the bridges house special account.

25. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

26. Makes an appropriation for the department of corrections IT infrastructure.

27. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

28. Makes an appropriation for the body-worn and dashboard camera fund.

29. Authorizes the Christa McAuliffe memorial.

30. Establishes a commission on New Hampshire civics.

31. Makes an appropriation for expanding the Teacher of the Year program.

32. Creates the northern border alliance program.

33. Modifies the authority and duties of police employees acting within 25 air miles of the border with Canada.

34. Requires the board of tax and land appeals to have at least one member of board be an attorney admitted to practice in New Hampshire.

35. Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and makes general fund appropriations each year to fund the cost of the benefits.

36. Moves the repeal of the interest and dividends tax from 2027 to 2025.

37. Redirects workers' compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.

38. Alters the nomination process to the labor commissioner penalty appeal board.

39. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

40. Alters the composition of the workers' compensation appeal board.

41. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

42. Creates an over-length, over-width, and over-height revolving fund credited to the department of transportation.

43. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

44. Alters the definition of prime wetlands and adjacent buffers for state highway rights-of-way. and authorizes the commissioner of transportation to discontinue rights-of-way.

45. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

46. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

47. Alters the process of the development of the statewide transportation improvement program plan.

48. Alters the process to claim assets which have escheated to the state.

49. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

50. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

51. Directs the department of energy to support offshore wind initiatives.

52. Changes the dates required to submit reports to the department of energy.

53. Increases staff and expenditures at the department of energy.

54. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

55. Enables the commissioner of the department of energy to appoint a general counsel.

56. Removes the statutory fee for record requests from the division of motor vehicles.

57. Allows certain emergency medical care providers to administer Naloxone.

58. Enables the engagement of peer support services following a critical incident or other certain experiences by emergency services providers.

59. Defines what students are eligible for education freedom accounts.

60. Changes the distribution schedule from the education trust fund.

61. Defines episode of treatment in court-ordered placement of children and addresses department of education payment for placement for an episode of treatment.

62. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport.

63. Revises the formula for calculating adequate education grants and increases the amount of such funding.

64. Increases chartered public school funding.

65. Repeals the grade 3 statewide education improvement and assessment program data.

66. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

67. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

68. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

69. Changes the name of the department of administrative services state budget director to the state budget officer.

70. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

71. Makes an appropriation to the department of administrative services for technology upgrades.

72. Revises the duties and authority of the state commission on aging.

73. Establishes the salary schedule applicable to certain corrections officers.

74. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

75. Establishes salaries and salary schedules for certain state officers and unclassified employees.

76. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

77. Makes an appropriation to the department of health and human services for the Choose Love Program.

78. Allows the department of health and human services to fill unfunded positions.

79. Suspends the foster grandparents program.

80. Suspends the congregate housing and services program.

81. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.

82. Suspends the provision of direct and indirect graduate medical education payments to hospitals.

83. Suspends catastrophic aid payments to hospitals.

84. Allows for additional funding for Medicaid to schools.

85. Requires submission of health facility plans to the division of fire safety.

86. Amends certain powers and responsibilities of the workplace violence prevention and health care workplace safety commission and suspends state participation in the workplace violence prevention and health care workplace safety commission for the biennium ending June 30, 2025.

87. Establishes unclassified positions in the department of health and human services.

88. Authorizes the carry forward of funds for certain services for the developmentally disabled.

89. Limitations on reimbursement of county funds.

90. Makes appropriations to the department of health and human services for programs and systems.

91. Makes appropriations to the department of health and human services for Medicaid provider rate increases.

92. Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

93. Revises the workforce development program administration.

94. Provides for public comment at the semi-annual meetings of the agricultural advisory board.

95. Reclassifies and renames positions in the department of justice to unclassified.

96. Establishes a handling charge for the division of charitable trusts.

97. Makes certain changes to the administration of programs within the department of justice.

98. Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

99. Increases the business finance authority unified contingent credit limit.

100. Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state's occupational regulatory boards and commissions.

101. Makes an appropriation to the New Hampshire retirement system to pay down the unfunded accrued liability.

102. Grants a supplemental allowance in 2023 to be paid by the retirement system to retired group II members' or beneficiaries' allowances. The cost of this supplemental allowance is paid from the state general fund.

103. Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.

104. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

105. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

106. Authorizes the governor to draw a warrant to supplement the department of revenue administration's revenue information management system's bond principal and interest payments.

107. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

108. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

109. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

110. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

111. Requires the liquor commission to submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council prior to closing a liquor store.

112. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

113. Modifies the department of military affairs and veterans services administration of certain fines and programs.

114. Directs the department of corrections to establish and administer an employee recruitment and retention program.

115. Allows the department of corrections to pay certain burial expenses of employees.

116. Makes an appropriation to the department of safety to develop and implement a system to electronically share an individual's bail condition status with law enforcement.

117. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

118. Adds a new position of academic research and improvement performance data analyst I to the department of education.

119. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

120. Requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program for free and reduced price meals for students in public kindergarten, elementary, and secondary schools.

121. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.

122. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

123. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

124. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

125. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

126. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

127. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

128. Reestablishes and revises the membership and duties of the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program. The commission is repealed November 1, 2028; extends the New Hampshire granite advantage health care program by changing the prospective repeal of the program to December 31, 2027; removes the transfer of funds from the alcohol abuse prevention and treatment fund to the granite advantage health care trust fund; and reduces transfers from the liquor commission to the alcohol abuse prevention and treatment fund for fiscal year 2024.

129. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

130. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

131. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

132. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

133. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

134. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

135. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

136. Adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid.

137. Increases the eligibility for free school meals to household incomes up to 300 percent of federal poverty guidelines, and provides funding for the additional costs from department of education appropriations.

138. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

Sponsors:
Rep. Weyler

Who supports the bill: Please refer to Public Hearing Sign-In Sheets.

Who opposes the bill: Please refer to Public Hearing Sign-In Sheets.

Who is neutral on the bill: Please refer to Public Hearing Sign-In Sheets.

Summary of testimony presented:

Representative Ken Wyler, Prime Sponsor, House Finance Committee Chair:

- The House developed their version of the budget via a "tax expenditure limitation" method.

- We shouldn't increase the budget more than the increase in inflation and the increase in population. Inflation for the last two years has been 12.7 percent, with a 1.5 percent increase in population. The limit for the budget increase would be 14.2 percent.
- There are spending increases in the budget offset by revenue increases, including ARPA and other additional federal funding.
- The 10 percent/2 percent proposed state employee pay raise is one of the large increases in the House budget.
- The House has pledged to work with the Senate in hopes a Committee of Conference will not be required.

Amanda Collin & Mila Demers, Team Select:

- Health care and pediatric funding are important.
- In December 2019, Mila was able to get LNA services. It took a long time to get her nursing services because of the rates of pay.
- Without Diane, Mila's nurse, Mila is unable to attend Head Start and pre-school.
- If in-home health care had more funding, more would be able to get the help they deserve.

Diane Jones, Team Select:

- Ms. Jones has been an LPN for 46 years. She works in home care for Myla Demers. Myla could not attend school if Diane did not attend with her.
- Home care is a necessary aspect of life, with nursing aides assisting medically challenged children and families enabling the assistance they desperately need.
- Please provide additional funding.

Airole Warden, Coos Coalition For Young Children and Families; Coos County Director sNetwork:

- Ms. Warden presented committee members with 1200+ coloring pages done by children in statewide childcare centers across New Hampshire.
- She is advocating for the inclusion of SB 237-FN in the budget providing for increased childcare funding.
- We must take steps to address desperate workforce needs, crushing costs, and limited access to childcare for working families.
- A childcare center in the North Country closed after 40 years due to staffing shortages. A second center has now closed after being in business for 30+ years.
- Police, EMTs and firefighters in the North Country have all been unable to take new positions due to the lack of childcare. These are jobs critical to community safety that are unable to be filled because of the childcare crisis.
- Let's truly support the businesses and families of New Hampshire with the inclusion of SB 237-FN to the budget.

Representative Maureen Mooney, Hills. 12:

- Representative Mooney supports HB 2-FN-A-LOCAL.
- She has two prime-sponsored bills wrapped into HB 2-FN-A-LOCAL, both dealing with the funding of public charter schools.
- One bill would increase the grant formula, increasing charter school funding from approximately $7,300 per pupil to $9,000 per pupil.
- There has been no increase in charter school funding since 2017.
- Sections 424-433 of HB 2-FN-A-LOCAL simply allow charter schools that own their own buildings to apply for school building aid. Current statutes are conflicting. Sections 424-433 allow for processes of applying for aid and eliminate the conflicting statutes.
- Representative Mooney encourages support for HB 2-FN-A-LOCAL.

Sgt. John Cinelli, Treasurer, NH Police Association:

- Sgt. Cinelli is with the Nashua Police Department.
- The Group II changes to the retirement system passed by the House in HB 2-FN-A-LOCAL are critically important.
- Law enforcement is facing a real and growing crisis. The availability of new-hire police officers is at a record low, making an extremely challenging employment pipeline.
- Existing officers are departing earlier than ever seen before. This puts extreme pressure on police departments and safety statewide.
- The New Hampshire State Police has a vacancy rate of 20 percent. Some local departments are seeing even higher vacancy rates.
- The middle tier of Group II retirement individuals are the most experienced officers. Remaining officers are faced with additional mandatory overtime, and departments are stretched in paying that overtime. In addition, there is the cost of hiring and training new officers, if they are even available.
- Changes to the retirement system can have a positive impact on this problem.
- The provisions of HB 2-FN-A-LOCAL intend to reinstate some provisions of the middle tier that existed prior to 2011. It will give men and women some incentive to stay their full term of employment.
- This is about the safety of our citizens. Please support these changes.

Mayor Joyce Craig, City of Manchester:

- Mayor Craig thanked House leadership from both parties for working together to pass a bipartisan budget.
- The three main points of the budget that are most important to Granite Staters are lower health care costs, increasing housing availability, and increasing public school funding.
- She urged support for a bipartisan amendment that would increase Medicaid provider rates. A Medicaid rate increase would ensure that health care options are available to all. Without a Medicaid rate increase, New Hampshire will have a tough time retaining health care providers.
- Please look favorably on the improved education funding formula passed by the House. Additional support for education is a big step forward.
- Support an additional $15 million for housing. It is important that the state be a partner in ensuring affordable housing.
- One piece of funding missing is increased funding to address homelessness. In 2020, all city mayors wrote a letter to Governor Sununu urging the state step up and address homelessness, but there has been no response as of yet.
- The Department of Health and Human Services included a request to add $20 million in funding for shelters, but the actual cost of shelters is greater. The cost of shelters is $45 per bed, per night.
- The state of New Hampshire does not have capacity to house and shelter everyone that needs it. The largest state shelter is full, and the shelter that the city of Manchester has set up is also at capacity. New Hampshire is at a crossroads in its homeless crisis.

Joshua Quigley, New Hampshire Troopers Association:

- Mr. Quigley is a Trooper with the New Hampshire State Police.
- The problem the Group II retirement changes aim to address is rather serious.
- The New Hampshire State Police currently has 69 unfilled positions, representing nearly 20 percent of our entire workforce. Troopers are leaving well before their full retirement terms are up. Law enforcement agencies across the state are experiencing similar issues.

- With new recruits at an all-time low and experienced troopers leaving, the problem is only getting worse. Men and women in law enforcement are getting burnt out as mandatory overtime is being used to fill this void, further exacerbating the situation.
- The provisions passed by the House in HB 2-FN-A-LOCAL will help. The provisions reinstate some of the terms that existed in the middle tier prior to changes 12 years ago. This will give an incentive to stay to full retirement term for many of these members.
- We need to ensure there is an adequate State Police force to deliver the services needed.
- New Hampshire has one of the most outstanding State Police agencies in the entire country.
- Please support the provisions of HB 2-FN-A-LOCAL.

Representative Timothy Horrigan, Straf. 10:

- We must consider where all the money is coming from and where it is going.
- Any spending to make peoples' lives better is beneficial and social service programs help the economy.
- This budget helps to allow disabled people to become valued members of society.
- Representative Horrigan was amazed the budget passed the House so easily. The Caucus Leader is a miracle worker!
- The committee should undo eliminating the repeal of the Interest and Dividends Tax. Representative Horrigan pays the tax himself, but believes that it is a good tax; other taxes would be more productive to cut.
- There is money designated for the renovation of the Whittemore Center at the University of New Hampshire. The "Whit" is near and dear to his heart. He hopes the Senate will keep the funding in the budget, and urged committee members to visit. The Center is almost 30 years old and needs renovations. This is more frivolous than social service spending, but it is an investment that will pay for itself in the coming decades.
- Representative Horrigan hopes the Senate will pass the budget along the same lines.

Sgt. Frank Campo, New Hampshire State Police; President, New Hampshire Troopers Association:

- It is important to fund the collective bargaining agreement for the State Police in the new budget.
- In the last 5 years they have received a total wage increase of 5.32 percent. This number falls far behind inflation, and even further behind many local police departments.
- The number of calls gets greater and greater each year in the state, especially with many local departments downshifting their calls to the State Police.
- Wages are having a significant impact on the overall morale within the State Police. They feel underpaid and underappreciated.
- Compensation is the biggest factor in unhappiness in the State Police force; 72 percent are considering leaving law enforcement for the public sector.

Representative Maria Perez, Hills. 43:

- Representative Perez supports the House-passed budget.
- Many things were left out of the budget; she would love to see more support for education. Teachers need wages to be higher.
- Her community does not see many homeless people, but the crisis is here. Many needing help are going to Manchester. Homelessness is not just a Manchester issue; it is a statewide problem.
- Representative Perez would love to see more help in health care and daycare. Many cannot afford daycare while they are working. Parents would be able to go to work easier if daycare were more affordable.

Ryan Donnelly, Advocacy Coordinator, Granite State Independent Living:

- GSIL provides services to over 1800 individuals with disabilities statewide, including home and community-based personal care services provided under the Choices for Independence (CFI), Medicaid waiver program.
- Please include increased funding for the purpose of increasing Medicaid reimbursement rates, as well as a targeted funding increase for the very important personal care services which allow these individuals to live independently.
- CFI providers such as GSIL have struggled for years in the face of both low rates and workforce shortages.
- Those who can stay at home wish to age with dignity.
- The program struggles to attract and retain workers due to inadequate rates for CFI services.
- As a state we can and must do better.
- Their funding limitations mean they cannot offer workers a competitive wage compared to other entry-level and service sector jobs.
- Medicaid reimbursement rates have not kept pace with inflation for over a decade.
- This should be a budget priority.
- Workers are needed to help these individuals get out of bed in the morning, prepare meals, and take care of daily personal needs

Representative Stephen Pearson, Rock. 13:

- Representative Pearson is the author of HB 436-FN-L, relative to Group II retirement under transition provisions in the retirement system. The bill restores some of the benefits that were retroactively taken from first responders. The bill makes numerous concessions along with retaining all of the anti-spiking provisions currently found in law.
- Almost all recommendations from the 2007 Decennial Commission report were not enacted.
- The report looked at Article 36 of the NH Constitution and recognized that the retirement system is an ongoing obligation outlasting any biennial budget cycle.
- Also in that report, the commission recognized Article 23 as a significant problem to retroactive changes.
- Between 2007-2012 all states made reforms to their pension systems. The only states that made retroactive changes were New Hampshire, North Carolina, and Wisconsin. The North Carolina change was later repealed; Wisconsin's change was much better than ours.
- The bill is overfunded, and greatly reduces the debt of the pension system by $68 million.
- New Hampshire has a unique problem. Manchester has zero firefighters on their hire list, while Worcester, Massachusetts has 272.
- The state of New Hampshire is viewed as a state that cannot be trusted in the emergency services industry. HB 436-FN-L will help to restore that trust.
- HB 436-FN-L passed the House by a vote of 282-80, which was a resounding statement on this problem. Representative Pearson urged the Senate to concur.

Rich Gula, President, State Employees Association:

- The Association cannot emphasize enough how critical the proposed pay raise is to state employees.
- The Association also supports the restoration of benefits in HB 2-FN-A-LOCAL for local fire, corrections and law enforcement employees. A General Fund appropriation over ten years would fund the cost of those benefits. This is a fairness issue.
- Please incorporate SB 205-FN and SB 57-FN into the budget. SB 205-FN would grant a 1.5 percent cost of living adjustment up to the first $50,000 of a member's retirement if they have been retired for at least 5 years prior to July 1, 2023. This would also go to any

beneficiary of a retiree who is receiving an allowance. SB 57-FN would provide for the application of the statutory reduction of a Group I employee or teacher retiree's annuity at the member's full retirement age under the federal Social Security System rather than age 65.

Representative John Cloutier, Sull. 6:

- Representative Cloutier strongly supports the bipartisan budget that passed the House.
- Overall, it is a great budget that has many great provisions.
- He is pleased that among the items funded is money for the renovation of the Regional Vocational Center in Newport.
- Representative Cloutier strongly urges the Senate to pass the budget, especially when it comes to education funding.
- Funding goes to communities who are struggling to pay for local public schools. Constituents consistently ask what the state is going to do to fund public education better.
- Education funding is needed so that property taxes can be reduced. The budget is a start to resolving the public education funding problem.
- Representative Cloutier warned against touching anything that deals with strengthening the Education Trust Fund. Be careful when touching that.

Carrie Duran, Advocate, Lakes Region Community Services:

- Ms. Duran has a 12-year old daughter, Katie, with Down Syndrome.
- Ms. Duran read testimony from Barbara Spike, a Plymouth mom who urged support for the developmental services budget and proposed Medicaid reimbursement rate increase. Ms. Spike is close to retirement with an adult son, Charles, who also has Down Syndrome. Charles is supported by Lakes Region Community Services.
- Please fund community-based supports and services for people with developmental and other disabilities, and a Medicaid rate increase to support our workforce.

Representative Jess Edwards, Rock. 31:

- The House Finance Committee's Division III budget is standard.
- Representative Edwards wants to accentuate one unusual item included: Page 118, Section 389 affecting RSA 126-BB, the Prescription Drug Affordability Board. The board was created two terms ago when the Senate sent it over to the House in an omnibus bill. It never got a full hearing, but was signed into law. It provided something that people wanted--more price transparency around pharmaceuticals.
- Rulemakers came to a unanimous conclusion that the fee structure was an unconstitutional tax, so HB 2-FN-A-LOCAL replaces the fees with General Funds. Industry groups had complained about what they believed is an unconstitutional tax.
- The fine mechanism allows fines to be levied because the industry does not want to provide business-sensitive information. The fines can be up to $1000 per day, up to $25,000 in total. This deals with the problem of accountability.
- The key component is to have the Department of Insurance take the lead in looking at what is happening at the federal level and within different state departments and reduce redundancy.

Corbin Warczecha, Student, MC2:

- Mr. Warczecha supports additional funding for charter schools.
- The funds would provide more learning opportunities for kids to enrich their education. It would help kids who are not able to learn properly in a traditional learning environment.

Representative Michael Cahill, Rock. 10:

- School building aid is included in the budget. The Governor wanted to invest $75 million in a one-time expense next year. This would be a start but not enough to answer the whole problem.
- Please look at HB 332-FN-A-LOCAL. The budget does not give enough to this bill, which is the most modest of this year's building aid bills. It would change the $50 million annual cap to a $60 million minimum investment. Many schools need to be renovated or replaced.
- School building prices and aid were made much worse by the 10-year moratorium. Something should be done to help reimburse localities that have burdened this cost alone.
- School districts are spending millions and would have received 30 percent from it.
- The state pays 2.5 percent of public school budgets. Thirty odd school districts have spent half a billion dollars during the moratorium and are asking for $90 million, half of the money back.
- This sum would not be paid all at once.
- The budget and state can do more than one thing at a time, and there is a pending list of schools that are not being funded.
- This issue cannot be put off to the side. New Hampshire is behind in school funding.
- Part of the reason the state has a surplus is because we do not spend money on things we should. We must raise and spend money sufficient to do the people's work.

Alan Reetz, Hanover Coop Food Stores:

- Mr. Reetz urges support of all bills and funding requests that address housing affordability. SB 145-FN, SB 202-FN-A and SB 231-FN are a balanced set of trackable actions. Each one details clear steps. Together they help our state take the long strides necessary to fix the massive imbalance in the housing market.
- Updating local zoning codes is a challenging task because it is time intensive and requires not only determining which ideas about development are appropriate, but also requires adapting those ideas to the realities on the ground.
- Please give the local leaders in our state the tools and program funding to pursue what makes sense for their towns.
- Support the Affordable Housing Fund to deliver long-term affordability.
- The request for funding for InvestNH tackles the rental housing market, while the historic housing tax credit taps into longstanding community assets that define our New England character.
- These bills address housing affordability, availability and adaptability. They will help create sensible and safe housing for people to live.

Elissa Margolin, Housing Action NH:

- There is a severe lack of housing in New Hampshire due to lack of supply of affordable housing options. Currently, we are short 23,000 units, and we need to develop 60,000 units in the next 30 years.
- Key bills have passed in the Senate that give the state tools, including the Affordable Housing Fund.
- Another program originally developed with ARPA dollars is the InvestNH Program.
- SB 231-FN includes a new historic house tax credit that would help make the best use of older infrastructure and convert them into new housing opportunities.
- SB 202-FN-A would create a new affordable home ownership program.
- SB 145-FN is a municipal "Housing Champion" bill.
- We need help in addressing the homeless crisis.
- Ms. Margolin is grateful for support of SB 231-FN.

Janice Howard, Director, Life Care Support Services, Cornerstone VNA:

- Ms. Howard urged full funding of a rate increase for CFI reimbursement. Home care agencies need this to enable them to continue to care for adult citizens who meet a nursing home level of care but choose to stay at home. They require support to maintain a clean and safe environment. They require help with tasks such as grocery shopping, cooking meals, showering and keeping homes clean.
- Cornerstone VNA has had to limit the number of hours of CFI services due to losing money on every hour of service they provide.
- If the CFI program does not raise reimbursement rates they will need to continue to turn away those who need these supports.
- The average cost of a home health aide is $79; the CFI reimbursement is $34. The rate must cover wages, mileage, training, supervision, insurance benefits, and soon electronic visit verification. How many businesses could afford to stay in business with a product that costs $79 to produce, but could only be sold for $34?
- Home care agencies are in the business of caring for people. If the money for funding the CFI Program is not readily available soon, agencies with a high census of CFI clients may have to stop services due to the financial losses. If this comes to fruition, it will cause a crisis for our vulnerable adult citizens.
- Please act now to avoid this crisis. Fully fund increases requested by the Granite State Home, Health and Hospice Association.

Ashlee Chaine, Visiting Nurse Home Care & Hospice of Carroll County:

- Ms. Chaine works at Carroll County Hospice. It is a business that helps people stay in their home.
- There are not enough health care workers in the state. Wages are not high enough. We need fiscal responsibility but also need to fund health care.
- Public health care institutions cannot compete with the private sector for workers. The crisis will only mount further.
- The only benefit businesses like hers can give to caregivers is a pat on the back.
- Health care and home care are massively important.
- Do not let "Live Free or Die" become "Live Free and Die At Home".

Brian Ryll, President, Professional Fire Fighters of New Hampshire:

- The PFFNH is asking support for the retirement transitional provisions, formerly known as HB 436-FN-LOCAL included in HB 2-FN-A-LOCAL.
- Firefighters are also suffering the crisis of retention of personnel. They are asking for a large change for a smaller contingent of individuals affected by the changes made in 2011. The proposed changes would restore approximately 85 percent of benefits to those personnel.
- Approximately 65 percent of firefighters taking the state exam end up employed in other states due to the current provisions of the New Hampshire Retirement System.
- If we lose highly trained, highly qualified individuals, we're left with folks not yet qualified to be in positions. It creates a problem in the ranks, and a problem for public safety in New Hampshire.

Tania Philbrook, Team Select:

- There is a need for a rate increase on services provided for in-home services.
- Team Select is an organization that serves families in NH. Rate increase for PDNLA, and pediatric services is needed.
- The nursing shortage is real and is more complex because of the rate. Public institutions are unable to compete wage-wise.

- New Hampshire residents are willing to make higher wages working across the border at Massachusetts facilities.
- Ms. Philbrook fully supports a rate increase for private and LNA care.
- Patients' needs fall across the full spectrum. In-home care allows patients to live in their homes and receive the care they need. It allows them to live a normal life.
- Ms. Philbrook has worked with Mila Demers, who was hospitalized but is now getting the care she needs at home, which allows her to live a full life. Mila requires 50 hours of care per week.

Patrick Robertson, Firefighter, Windham Fire Department; President, Windham Professional Firefighters Local 2915:

- Support the retirement provisions included in HB 2-FN-A-LOCAL.
- With 23 years of firefighting, Mr. Robertson is not impacted by these provisions. But they affect many of the firefighters who serve the Town of Windham.
- Fire service is experiencing unprecedented problems with hiring and retention of quality firefighters in New Hampshire.
- The last 3 retirements Windham has experienced have all been from the middle tier retirement group. There are currently paramedics, which are very hard to find, contemplating retirement if this issue is not resolved. We cannot afford to lose these individuals.
- Firefighter salaries have not kept pace with inflation. Retirement benefits have been reduced and retiree health care removed. Many have gone to work in bordering states or other industries altogether.
- Windham is a single firehouse station. If someone misses work, another individual is forced to work.
- This problem will exacerbate PTSD among firefighters and law enforcement, due to an excessive amount of hours worked.

Ron Sabastian, PFF Derry:

- Captain Sabastian is with the Derry Fire Department, and is the President of the United Professional Firefighters Local 4392.
- They are asking for support of the transitional retirement provisions included in HB 2-FN-A-LOCAL.
- The 2011 retirement changes did not impact Capt. Sabastian, but will impact 15 fellow firefighters in Derry as well as hundreds across the state who will not retire with the same benefits.
- New Hampshire is beginning to feel the effects of the 2011 retirement changes.
- Public safety is declining.
- The potential loss of formal and informal leaders because of the transitional provisions is becoming a concerning reality.
- These changes are resulting in some of the most qualified people seeking alternative careers before reaching retirement availability. Some of the top senior officials are going to retire. This will leave an unsustainable void.
- Firefighters are finding it increasingly difficult to risk their lives and do their jobs without guaranteed retirement benefits.

Maggie Fogarty, American Friends Service Committee-NH:

- Ms. Fogarty submitted testimony on behalf of the New Hampshire Campaign for a People's Budget.
- Budgets are moral documents that express the morals and values of our communities.

- We deserve the permanent expansion of Medicaid, affordable childcare, and supports for healthy aging.
- Please ensure education funding and protect the Education Trust Fund.
- We want good wages and retirement for state workers.
- Please ensure clean water and air and a sustainable environment.
- We need affordable housing and support to combat homelessness.
- We need common sense, public safety policies.
- We need taxation that affords to the common good, not tax cuts for the wealthy and corporations.

Rep. Jonah Wheeler, Peterborough and Sharon:

- Rep. Wheeler urges support of the House budget as it stands, and emphasized the importance of the state employee pay raise.

Zack Sheehan, NH School Funding Fairness Project:

- There are shortcomings in the system. New Hampshire funding suffers from two injustices: unequal academic opportunity and differences in school funding, which is causing crippling local property taxes.
- The actual cost of public schools is more than what is being funded.
- There is a dramatic variation in property taxes across the state, despite a constitutional responsibility for the state to provide an adequate education to every child within its borders.
- The state downshifts $2.3 billion per year to local taxpayers in local property taxes.
- They strongly oppose any amendment that would wipe out current surplus in the Education Trust Fund. It would create a $20 million deficit. It would send a strong message that legislators are interested in cutting public education.
- Students deserve equal opportunity across the state. We need to prioritize funding.

Rep. Nancy Murphy, Merrimack:

- Rep. Murphy and her community are interested in education, mental health and disability supports.
- HB 614-FN appropriates $500,000 for a kidney cancer feasibility study for the town of Merrimack. Merrimack is "ground zero" for the PFAS contamination in our state. We have many people with health issues.
- The feasibility study will likely lead to a full epidemiological study.

Marc Lacroix, AARP:

- Mr. Lacroix thanked the Senate for passing SB 36-FN.
- He related the experience of his father, who lived in Berlin and was socially active. Over time, his father developed shortness of breath. He wanted to stay close to his friends in Berlin. He eventually was diagnosed with an exposure to asbestos. Mr. Lacroix attempted to get a stair lift installed. He reached out for financial assistance but never heard back from anyone.
- Funding in-home care would save the state thousands in the cost of long-term care facilities.
- Please invest in services and fully fund SB 36-FN.

Chris Stawasz, Regional Director, American Medical Response:

- Mr. Stawasz has been a paramedic in New Hampshire for the last 39 years. He urges support for ambulance and EMT funding.
- Please support the long-term health of New Hampshire's ambulance medical transportation system. The system can simply no longer sustain itself at current reimbursement levels. It is in crisis. Without it, the rest of the state's health care system is literally unable to move.

- New Hampshire's hospitals are experiencing significantly extended wait times to transfer patients—hours, and in some cases days. The situation is worse for New Hampshire critical access hospitals like Huggins and Franklin Hospital. Every New Hampshire hospital is being impacted today.
- Transfer beds are being delayed or lost due to limited ambulance availability.
- Several New Hampshire hospitals are paying ambulance providers directly to move their Medicaid patients at higher rates than what New Hampshire Medicaid currently pays, just to get them to do the trip.
- Low participation in the New Hampshire Medicaid ambulance brokerage network is causing further ambulance availability issues and network inadequacy.
- New Hampshire still has one of the lowest ground ambulance Medicaid reimbursement rates in New England, despite last year's increase which was the first one in 17 years.
- More and more licensed EMS providers are choosing to work in different fields because the pay is better and the work is much easier.
- Ambulance transportation delays will continue to increase as more hospitals curtail or eliminate services requiring more patient transfers, many of them time and outcome sensitive.
- Several New Hampshire ambulance services have recently closed creating further gaps and longer wait times for transportation.
- Just this week a private ambulance service in Keene is closing its doors after being in business for 70 years. More and more are rumored to be in financial peril.

Bob Dunn, Diocese of Manchester & NH Catholic Charities:

- Mr. Dunn asked committee members to approach the budget with a focus on how to best help the poor, advance human dignity, and common good.
- Long-term care is in acute crisis in NH. There are 380 beds in a facility with 80 open beds because of the health care staff shortage.
- There is a deficit every year in Medicaid pay. Please fund long-term care.
- They support SB 175-FN, the Momnibus bill.
- If necessary, please include the extension of the Granite Advantage Program in HB 2-FN-A-LOCAL without sunset, similar to the Senate-passed SB 263-FN.

Pamela Keilig, Public Policy Specialist, NH Coalition Against Domestic & Sexual Violence:

- The Coalition is the umbrella for 12 independent, community-based crisis centers that provide free and confidential services to victims of domestic and sexual violence. Ms. Keilig urges support for the domestic violence prevention program in HB 1-A.
- Some of the biggest problems facing us today, the opioid epidemic, lack of mental health treatment and the housing crisis, have all resulted in an extraordinary financial cost.
- Long-term implications of childhood abuse and trauma are chilling. The essential role that crisis centers play in our communities to respond to trauma cannot be overstated. Demand for service has skyrocketed over the last 3 years. We must ensure kids are getting the help they need and not falling into cycles of violence. The best way to save money is to invest in violence prevention programs.
- In the last biennium crisis centers served nearly 25,000 families.
- We need to make a commitment as a state to end childhood trauma.

Christine Phillips, Friends of Aine:

- Ms. Phillips requested the reinstatement of funding for juvenile peer-to-peer support. One in ten children in NH will face the death of someone they know before 18 years old. This can lead to mental health problems.

- The public health crisis has increased the need for support. Peer-to-peer support is crucial. We need to teach effective coping and grief management practices. Transportation and other factors make it hard for some to reach help, so we must reach out to them.
- Seventy percent of educators have a grieving child in their class, but only 7 percent have received bereavement training.
- Please consider $1.5 million for juvenile peer-to-peer grief services.

Steve Ahnen, NH Hospital Association:

- One of the greatest challenges facing hospitals today is the inability to discharge patients who are medically cleared to move to their next level of care in a nursing home, skilled nursing facility or home care because of their own staffing challenges, or the inability to timely transfer patients from hospital emergency departments for patients in psychiatric crisis.
- The approach taken by the House to provide much more substantial targeted rate increases is what is needed at this time. In an environment of limited resources hospitals are willing to forego a rate increase as part of the budget this year so that those funds can be targeted to those key areas of need, behavioral health and post-acute care providers such as nursing homes, long-term services and supports, as well as home care providers. Higher Medicaid reimbursement rates would create the stability and predictability those providers need to be able to hire and retain more staff to serve their patients, clients and residents.
- The Association is supportive of Community College System funds targeted to acute needs in New Hampshire and will help set New Hampshire high school students on educational and career paths to fill high-need jobs in our hospitals and other health care facilities across the state. It will enable upskilling of current employees, and support career changers who wish to train for health care careers.
- The Workplace Violence Prevention and Health Care Workplace Safety Commission is an important commission to ensure the safety and health of our workers. It should be up and running as soon as possible.
- Hospitals are strong supporters of the Granite Advantage Health Care Program. It's helping to reduce the number of uninsured patients seeking care in our emergency departments, inpatient and outpatient settings, as well as reducing the overall uncompensated care related to uninsured patients. The Association does have concerns with the House budget version that only calls for a 2-year authorization of this program. It will not provide the kind of stability and predictability that beneficiaries, providers and health plans need for a successful program.
- There is an inadequate number of available DRF beds for both adults and children. Those patients are required to wait days—sometimes weeks—in hospital emergency departments across the state until they're transferred to the appropriate setting for their care.
- Over the past year New Hampshire Hospital has closed two, 24-bed units due to staffing shortages. Those units were further damaged due to the frigid cold weather we experienced earlier this winter. The Association urges the Senate to include funding to open those units as quickly as possible, and to work with an outside staffing agency for the staff necessary to safely and effectively open those beds.

Rebecca Sky, Executive Director of NH State Commission on Aging:

- The first area of concern is aging in SB 36-FN, SB 86-FN, and changes in HB 2-FN-A-LOCAL. We need changes toward a more effective aging system. Ms. Sky offered some language changes to committee members.
- The amount needed to bridge the gap is more than $20 million plus. This is critical funding.

- Health care is at a breaking point. There is talk of some providers discontinuing services if more funding is not received.
- NH needs more housing and childcare. Some of the most important jobs are not being paid enough. We need these workers, and they need affordable housing.
- Stabilizing childcare helps support aging.

Heather Carroll, NH Alliance for Healthy Aging:

- Ms. Carroll requests the state support a system of care for healthy aging in New Hampshire. All Granite Staters should have access to the services they need, and the ability to choose where and how they age in this state.
- Investing now is the best way to ensure older adults have meaningful choices when they need them.
- They would like SB 36-FN, the system of care bill, included in the budget.
- Please prioritize implementation of the rates set effective July 1, 2023 to ensure providers do not stop serving people that are included in the CFI program.
- Make additional investments in CFI rate increases to include the funding gap, close the funding gap, strengthen the workforce and improve access to care.
- Include support for public awareness campaign funding for Alzheimer's Disease early detection.
- Fund adult day services on the Medicaid state plan rate at the same $75 rate as CFI.
- An appropriation is needed to look at the transportation needs of older adults across the state.

Shawn and Chloe Bertrand:

- Shawn is Chloe's father.
- Please support full funding for developmental services. Help support people like Chloe and enable them to live fully in their communities. Developmental workers provide important and meaningful care.
- The average wage for people working with developmental needs is $13 per hour. That is less than what fast food employees make.
- The benefits of developmental services support are huge. It enables productivity for the disabled person and for the parents.
- A home-based system keeps costs down to a minimum. Please continue funding this worthy cause.

Maddie Collier:

- Ms. Collier shared with committee members the testimony of Erica DeVries.
- The town of Hampton is struggling with an insufficient amount of affordable housing. Renting is inexorbitantly expensive, and out of reach for working families and seniors.
- Workforce planning is included in the town's master plan, but since the town's budget did not pass this year it remains to be seen how many of the planning goals will be implemented.
- A town's zoning board is perhaps the biggest impediment to building workforce housing. Ms. DeVries is a member of the town's zoning board.
- The local zoning ordinances need to be addressed as they are a barrier to workforce housing. These ordinances need to be updated, and is costly to do.
- There are strict rules concerning variances.
- Please protect and provide funding for affordable housing, including the Housing Champions Program. This program will incentivize municipalities to update their zoning laws to allow for the housing development our communities and economy desperately need.
- Despite their best efforts, local municipal leaders cannot solve the housing crisis on their own.

- The Housing Champions Program will help land use board members better serve their communities.

Jackie Crowell, Early Learning NH:

- Childcare is important. She is speaking for many.
- Ms. Crowell is grateful for the unanimous support of SB 237-FN, which has great provisions for access to affordable childcare for working families.
- What is the best way to retain the workforce? Establish a workforce fund. For every childcare teacher retained, eight children can stay in childcare. Young children feel emotional loss when teachers leave.
- Maine has an ongoing effort to provide support for workers. The state spends $12 million per year on continued support.
- When childcare teachers work, it in turn enables individuals in many other industries to work.
- Ms. Crowell would like to see flexible funding be provided for years to come.

Elaine Strand:

- Ms. Strand asked the committee to support the developmental services budget and the proposed Medicaid rate increase.
- She has three adult children. The oldest is autistic, non-verbal, enjoys being with peers and works in the community. The middle adult is learning disabled but working parttime. The youngest is nonverbal but living with care. They all live a full life with purpose.
- Please support funding for people with disabilities.

William Walker:

- Mr. Walker has a 24-year old son, Liam, with autism.
- Please support the developmental services budget as well as the proposed Medicaid rate increases. Both will help his son continue to receive services that help him live a full, inclusive and productive life.
- They have been able to create a "team" around Liam, including a direct support professional, a case manager from Gateway Community Services, as well as Mr. and Mrs. Walker. Liam can grow and contribute to society, with a job at Meals on Wheels and volunteering in the community. Everyone exposed to Liam grows themselves.
- Due to the workforce shortage it took months to put the team together. Because they are a critical component of Liam's life, Mr. Walker doesn't want to lose the team due to low wages.

Forrest Beaudoin-Friede, ABLE NH:

- Please fully fund developmental services.
- The proposed rate increase for Medicaid combats the workforce crisis.
- Forrest lives as independently as possible in his community, and will be graduating soon. He enjoys a great, meaningful life as a disability advocate. With legislative support more people with disabilities can live productive lives.

Jessica Eskeland, Senior Public Policy Manager, Alzheimer's Association:

- Please include SB 234-FN-A in the budget. The proposal would direct DHHS to administer a one-time public health awareness campaign on Alzheimer's Disease, brain health and other dementia.
- We're in the midst of a public health crisis currently. Over 6 million individuals have Alzheimer's Disease. In New Hampshire as of 2020, 26,000 individuals are living with this disease.

- It is an incredibly expensive disease to manage. Medicaid costs in this state for people with Alzheimer's totaled $254 million in 2020.
- By raising awareness and increasing early detection and diagnosis, the state can improve the lives of those affected with the disease and save on costly long-term care in the future.
- The campaign would inform the public and health care providers on early warning signs, the importance of early detection and timely diagnosis of cognitive impairment, validated cognitive assessment tools, an annual Medicare wellness visit for cognitive health, and generally how to reduce your risk factors with lifestyle changes.
- At the conclusion of the campaign the Department would report to the Legislature, helping to inform future policy initiatives, help to assess gaps in service, and overall better serve the community.
- The Association also supports SB 36-FN.

Nancy Kelleher:

- Meghan Kelleher, Nancy's daughter, is with the "Rising Stars". She likes playing with her friends and playing bocce at Special Olympics.
- Until 11:30 pm, Meghan is in good humor. She has much input in what her days look like. She has no concept of safety or money. She has no fear, and has an extremely high pain threshold. She has no idea what medication she needs. She requires support, which comes 3 mornings per week to assist her. They use specific calculations for nutrition and fluid intake. Meghan must exercise. Meghan's heart works at 20% capacity due to an infection a few years ago.
- Legislators need to learn what it is like to live the life of a person caring for a family member with disabilities.
- The staff make $16 per hour and cannot accept additional compensation out-of-pocket. They need fair wages to keep them working.

Dave Bastien, The Moore Center:

- The Moore Center is one of 10 area agencies in the state with approximately 400 employees.
- They have a wage deficiency of 29.2 percent. It is hard to hire when you are offering 30 percent less than what individuals can receive on the open market. They're not able to retain employees.
- Of the last 28 years, 21 years failed to provide budget increases. In the last 15 years, there were two, 3 percent increases. They went 11 years with no increase whatsoever. They have full time employees who haven't had an equity pay increase in 3-10 years.
- A mere 6 percent increase in Medicaid rates will not fix the problem.
- An equitable solution would be to tie the wage component in the Medicaid rate to the Bureau of Labor Statistics data to ensure it stays competitive. It would allow organizations and human services to pay a livable wage. That is all these individuals are asking for. It is not an unreasonable request.
- A Massachusetts legislative proposal would tie wages for the human services workforce to state employees who perform the same job. It would be implemented over a 4-year period to bring parity.

Lori Safford:

- Ms. Safford has two sons that need permanent care. She has sacrificed everything to keep them at home. But now, Ms. Safford is getting too old to care for them on her own. She was told she had a better chance of winning the lottery than finding a new caretaker. She currently needs surgery, but her two sons need care.

- The system is on the verge of collapse. Jane, the caregiver for her sons, has not received a pay raise since 2011.
- Regarding the proposed state employee pay raise, those employees have support systems, retirement plans, health insurance, and a union. Caregivers who work for $14 per hour with no benefits do not have those same advantages.
- Caregivers need support. A 3 percent or even a 6 percent raise is not enough in light of the proposed 12 percent raise for state employees.
- With the growing elderly and disabled population, the need for care is more important than ever.
- The tentative budget plan is to place tens of millions of dollars into the Rainy Day Fund. It makes no sense to do so, considering the problems with the health care system.
- Do whatever it takes to enable people to hire and retain qualified home health care workers.

Ben Safford:

- Ben and his brother both have Duchenne Muscular Dystrophy, a fatal, muscle-wasting disease with no cure.
- Please support further funding for adults with disabilities on the CFI Waiver.
- They live at home with their widowed mother with the home care services they receive through Medicaid.
- Due to increasing inflation and the workforce shortage their Mom has had difficulty finding caregivers, who are only paid $14 per hour with no benefits, caring for both Ben and his brother.
- Individuals can make more money at Walmart, Market Basket and Wendy's.
- Their disease is progressive. As their health deteriorates and Mom ages, Ben and his brother will need increasing amounts of care to live in their community.
- Increase the Medicaid reimbursement rate.

Sam Safford:

- Sam, Ben's brother, doesn't want to live in a nursing home. It would be devastating for the two brothers, and more expensive for the state. Their Mom is unable to physically care for them herself. She is running out of money to pay for caregivers.
- A 6 percent Medicaid reimbursement rate is not enough, in light of the 12 percent state employee raise.
- Support an increase to help attract and retain qualified home health care workers.

Kim Lavallee:

- Ms. Lavallee is in favor of HB 2-FN-A-LOCAL, specifically Sections 131 and 59, regarding the increase in funding for charter schools.
- Education costs about $20,000 per pupil, and currently charter schools receive $7,338 per pupil. Additional proposed funding would raise this amount to $9,000 per pupil.
- An increase in funding would allow many charter schools to continue to exist. Charter school costs are the same as businesses. They are responsible for the cost of their facility. They do not have local taxing authority.
- Charter schools need increased funding. They need to be able to hire teachers and provide students with appropriate tools and materials. The last increase in funding was in 2017.
- Ms. Lavallee hopes the Senate will support the increase. She hopes New Hampshire will continue to show its support for school choice.

Craig Cunningham:

- In 2010, the state stopped sharing tax revenue with the towns. Since then the state has cut the pension match for the towns and failed to increase school funding with inflation.

- In the last 10 years New Hampshire's population has aged faster than the US population, At the same time, our GDP has grown slower than the average for the country. These metrics point to an economy that is not sustainable over the long term.
- Make investments that will help to change the course of New Hampshire's economic future.
- There is a critical shortage of housing in New Hampshire. Young people are unable to purchase homes; there is simply no inventory.
- The vacancy rate for our small supply of workforce housing is almost zero.
- The housing shortage is driving a severe labor shortage, and threatens our economy, particularly the tourism and hospitality industry.
- Municipalities that receive a Housing Champion designation will have access to additional grants and low interest loans. The state funding connected to the program will provide relief for tight, municipal budgets by returning taxpayer money to our state's cities and towns to support housing.
- School funding is a major driver for the housing shortage.
- Consider investing in housing and in our schools. Without thoughtful public policy changes we will not be able to reverse the two trends, aging population and slowing GDP growth.

Isabelle Plante:

- Ms. Plante supports SB 237-FN.
- She was born in New Hampshire, and was fortunate to move back during the pandemic. But she is now considering leaving the state because of the lack of childcare.
- New Hampshire does not have the capacity to serve the children of the state. Every daycare center within an hour of her family has a long waiting list and many do not take names because of the length of the list.
- Her daughter, Clover, will not be able to have an early education, and Isabelle will not be able to work until Clover is 13 months old.
- Isabelle has seen firsthand that the lack of childcare is inhibiting the state's economic growth.
- Ms. Plante urges support for SB 237-FN and requests the Senate fully support the expansion of early education.

James Marshall:

- Over the last few years the state has cut spending on education, allowed taxpayer money for private schools, lowered business taxes, and repealed the Interest and Dividends Tax. To be required to pay the Interest and Dividends Tax, a couple must receive approximately $5000 in interest or dividends. A savings account with $240,000 would be needed to generate this amount, with an average interest rate of 2 percent. How many New Hampshire residents have that kind of money or amount of stocks in the market?
- Repealing the Interest and Dividends Tax will disproportionately give a tax cut to wealthy Granite Staters, but not the average one.
- No one likes paying taxes. It is, unfortunately, necessary.
- The budget should be about helping the average citizen, constituents of the Senate Finance Committee members, not just the wealthy or business owners.
- These continued cuts drive costs down to the town level. The only way for towns to increase revenue is to raise property taxes.
- The wealthy can afford to pay the Interest and Dividends Tax, compared to the average citizen paying increasing property taxes.
- The state has taken no action to reduce electricity prices or other inflationary costs.

- Restore the Interest and Dividends Tax. Use that money to make critical investments in affordable housing, education and health care providers.
- We need to put the average Granite Stater ahead of the wealthy and powerful. At the end of the day we're the ones that make the state run. We deserve better than higher taxes and rent to give a wealthy person a $12,000 break in taxes.

David Crandall, Director of Development, Twin Pines Housing:

- Mr. Crandall supports the Affordable Housing Fund.
- Mr. Crandall related his company is developing affordable workforce housing units in New London. Through several public question and answer sessions, he has heard repeatedly from employers that they cannot find workers due to a lack of housing.
- Twin Pines Housing has full support on New London development from employers.
- Individuals have to income-qualify for workforce housing.
- Support is the linchpin to his company's housing success.

Devan Quinn, Policy Director, NH Women's Foundation:

- Women make the economy work. But women with children can only return to work if they have affordable childcare. And they can only remain in the workforce if they are healthy and have access to health care.
- SB 237-FN and SB 175-FN target support for working women who support families and are the backbone of our thriving local economies.
- When families are faced with childcare issues mothers are more likely than fathers to reduce their hours or leave the workforce entirely.
- Finding childcare is one challenge; affording it is another. The median cost of infant care is $13,250 per year. That represents 11 percent of the median income of a married couple, and a staggering 55 percent of the median income of a single mother. Without childcare scholarships, working is simply not a viable option for many mothers.
- SB 237-FN invests in the childcare workforce, 86 percent of whom are women. On average these women make $24,500 per year, less than half the average New Hampshire salary.
- The Momnibus bill extends health care for postpartum women who are making too much for Medicaid. Increasing the benefit from 2 months avoids broader uncompensated care costs in our health care system. It would also provide preventive, acute care, mental health care, and substance use treatment to all postpartum moms. The women who would benefit in this income range are the very workers we're seeking to recruit and retain in the food prep industry, retail workers, paramedics, substance use and mental health counselors, and child care workers themselves.
- The Momnibus bill provides access to doula care, lactation services, donor breast milk banks, early childhood mental health consultations, and investment in chat in Family Resource Centers.

Qiu Min Ji:

- This individual's testimony foretold imminent disaster and she shared her theories on what the coming years will bring.

Audrey Gerkin:

- Ms. Gerkin has 3 daughters. Lexi, 21 years of age, was born with Cornelia de Lange Syndrome. This comes with medical complexities and developmental delay.
- Support budget funds for people with disabilities to enable them to live fulfilling lives in their communities.
- A Medicaid rate increase is important to support the wide spectrum of direct care professionals.

- Lexi is eligible for private duty nursing provided by home care home health agencies. These nurses provide day and night support through secondary Medicaid insurance by 3 separate nursing agencies. Community Partners, Lexi's area agency provides important supports. The private duty nurses, however, provide coverage this family could not live without every single day. Even still, they are short on coverage. They are currently missing 3 overnight shifts and one day shift.
- Due to the shortage of help, Lexi missed school 3 days a week.
- Overall in the state of New Hampshire, children and adults eligible for private duty nursing consistently have 50-60 percent of their shifts go unfulfilled. Many families receive zero hours of their eligible coverage.
- A rate increase is needed, but it is not the only answer.
- This crisis has lasted well over 15 years. It is a complete system failure at this point.
- Direct care professionals, including private duty nurses need insurance benefits, incentives for educational opportunities, career ladders, affordable housing, appropriate transportation, and increased wages from an increased reimbursement rate.
- This isn't a problem just for individuals with disabilities; it's a problem for everyone.
- Help enable a step forward for those served on the DD, ABD, HIS and CFI Medicaid Waivers, including the Medicaid reimbursement rate increase.

Anne-Marie Zanfagna:

- Ms. Zanfagna supports a budget for people with developmental and other disabilities.
- Her sister, Kate, has been intellectually challenged since birth. She would have to be put in a home without in-home care. Kate needs to be around people but needs time to herself as well.
- Kate is served by Community Crossroads in Atkinson, and they are attentive to Kate's needs. However, they need state funding to maintain a high quality of support to families like hers.

John Ziemba:

- Include SB 234-FN in the state budget. It would create a one-time public awareness campaign on brain health, Alzheimer's Disease and related dementia through the Department of Health and Human Services.
- Mr. Ziemba's wife, Laurie, died from Alzheimer's Disease at the age of 69. Three years before she passed she was an avid cyclist. She appeared quite healthy, but had other health issues. Some of the red flags were ignored or dismissed, or perhaps felt a medication adjustment was needed. But that was not the case. Both he and the doctors missed important signs, and Mr. Ziemba related examples of same to committee members.
- After she passed, Mr. Ziemba reviewed Laurie's journal, which described her condition as "brain fog". That term was never expressed once to Mr. Ziemba, or to Laurie's doctors.
- Developing a public awareness campaign on brain health, Alzheimer's Disease and related dementia is critical.
- Had Mr. Ziemba known the atypical actions of his wife were symptoms of Alzheimer's, he might have been able to connect the dots and seek out help earlier. They may have been able to enjoy more time together.

Claudia Prescott:

- Ms. Prescott supports certain provisions of HB 2-FN-A-LOCAL.
- She works at the Department of Corrections.
- If the proposed retirement changes outlined in HB 2-FN-A-LOCAL were to pass, it would give her some hope to stay on the job.

Christine Stoddard, Public Policy Director, Bi-State Primary Care Association:

- Ms. Stoddard spoke in lieu of Kris McCracken, CEO of Amoskeag Health Center, which serves over 18,000 patients in Manchester. Of these patients, 52 percent are enrolled in the state's Medicaid program. In one year, the Amoskeag Health Center lost over $7.5 million. That was 3 years ago. Each year they lose progressively more money due to the cost of care in the state.
- Another health care center in the Lakes Region had their labor costs increase 21 percent in one year due to the pandemic.
- Health care centers and other Medicaid providers cannot afford to go without rate increases.

Abby C. Rowe:

- Ms. Rowe was born with a degenerative disease. Her quality of life completely depends on state welfare. She is unable to work, but with proper health care she can contribute to her community, which is important to her.
- Many of her single parent friends struggle to live in places like Dover and Rochester because of the cost of housing and childcare.

Sgt. Emmett Macken, Manchester Police Department:

- Sgt. Macken has been in law enforcement for 23 years.
- The Manchester Police Department has replaced 109 officers during the last 5 years. They were in the middle tier, and the incentive to stay was not there.
- Trust in the state of New Hampshire has been gone for a long time.
- This profession is getting only more difficult every day.
- If you support law enforcement, show it by keeping the retirement changes in the budget.

Brendan Williams, CEO, New Hampshire Health Care Association:

- The Association supports the expansion of Medicaid.
- The pandemic has taken a terrible toll on long-term care. Approximately 11 percent of the workforce for nursing homes was lost in the first year of the pandemic.
- Daily staffing agency costs have increased over 2,000 percent in Sullivan County.
- Wages have increased in nursing homes, but facilities are still struggling to compete with private companies. A licensed nursing assistant might be paid $20 per hour, but the facility will still need to compete in a marketplace of desperation for staffing along with other nursing homes and hospitals.
- The current condition is unsustainable. For example, the smallest nursing home represented by NHHA is shipping $43 per hour checks to a Texas address for the services of licensed nursing assistants. These extraordinary costs are not covered by Medicaid reimbursement, and they are not building the workforce necessary to ease the bottleneck in hospitals.
- Some nursing homes are taking in individuals due to structural damage to other facilities, even though they cannot take new admissions themselves. They are attempting to leave no one behind.
- One county nursing home has 138 people on its waiting list.
- We are a state that is leaving people behind. We are seeing care atrophy bed by bed, unit by unit.
- Please support an increase in Medicaid care of at least 15 percent, which is less than other states have enacted. It will help retain and sustain a homegrown workforce.

Cathy Slack:

- Ms. Slack provides private duty nursing. She hires nurses to work in homes for individuals.
- Skilled nurses administer specialized medical care to family members.

- Medically fragile clients are able to receive interventions, preventing rehospitalizations. Without this skilled nursing in the home these individuals would remain in the hospital at enormous cost to Medicaid insurance.
- With skilled nursing, medically fragile children can attend school and other community activities. Ms. Slack related an example of a child in a Boston hospital who can't come home due to the lack of availability of home skilled nursing.
- Bayada has a simulation lab that allows nurses to receive specialized training to be able to provide care at home.
- Trained Bayada nurses receive $15-$30 less per hour than nurses in Massachusetts. They receive $20-$40 less per hour than colleagues working in New Hampshire hospitals. These nurses can't afford to do this, and New Hampshire can't afford to lose these nurses.
- Nurses are crossing state borders to make a livable wage.
- The last increase they received was 3 percent, approximating to 90 cents per hour for a registered nurse.
- Currently, skilled nurses are receiving a financial stipend from the federal government for working through the pandemic. This is not a permanent solution.
- Support skilled nurses and increase Medicaid reimbursement to meet inflation and provide competitive wages. Recognize the work they do every day for constituents and communities.

Joyce Kelly, Co-Chair, NH Breastfeeding Task Force:

- The NH Breastfeeding Task Force is an educational non-profit that promotes, protects, and supports breastfeeding through educational outreach and advocacy. They advocate for policies that support breastfeeding families and the professionals that assist those families.
- Breastfeeding reduces childhood illness, infections, and maternal conditions such as breast cancer and heart disease.
- Access to breastfeeding support is more important for those living in poverty or affected by other social determinants of health. Moms in those situations have lower breastfeeding rates.
- SB 175-FN provides Medicaid reimbursement for lactation care, donor human milk for sick infants, a doula, as well as employee protections to breastfeed at work. These are pivotal to increasing maternal health.
- Mothers who have access to clinical care and employer support breastfeed longer, which can help reach better maternal health outcomes and healthy babies.
- Please continue to support SB 175-FN.

Lauren Schlers:

- As a mother, Ms. Schlers is deeply concerned about this state's debilitating child care and housing crisis, as well as defunding our public schools.
- New Hampshire is strongest when our children have the resources needed to succeed.
- Protect and prioritize funding for public education, housing and child care in the budget.
- As a parent, Ms. Schlers is all too aware of New Hampshire's child care crisis. Her child care expenses cost more than her mortgage.
- Camp registrations were fully booked the evening of the first day of registration. There are waiting lists at every camp, every daycare.
- Across the state families are struggling and failing to afford decent child care. Families desperately need legislation to support working families, keep children healthy and invest in our economy.

- The housing crisis in our state has reached unprecedented levels, with a staggering shortage of 23,000 housing units. This has resulted in exorbitant housing costs that are beyond the reach of many families.
- The high cost of both housing and child care are squeezing families to their breaking point, leaving them struggling to make ends meet. It's a dire situation that requires urgent attention. It's the wellbeing of our families, children and economy that's at stake. We cannot afford to ignore or avoid these crises any longer.
- Working families are relying on the Legislature to take meaningful action to increase New Hampshire's housing supply.
- Children should have access to affordable child care, excellent education and safe, stable housing.
- The Interest and Dividends tax cut will only put a greater burden on working families through increased property taxes.

Laura Milliken, NH Hunger Solutions:

- There are two programs that should be included in the budget:
  - **(1)** Reestablishing the supplemental nutrition program for children. This would give pregnant women and children up to age 5 access to fresh fruits and vegetables. It would help local farmers markets as well;
  - **(2)** Medicaid direct certification, which reduces the administrative costs of enrolling children. It allows access to free and reduced-price lunches. It has the potential to ensure 6,000-7,000 additional children have access to proper nutrition and school lunches. It would be a benefit to students and schools.
- Ensure that the next generation has the opportunity for good health.

Carol Conforti-Adams, Human Service Welfare Director, Town of Henniker:

- Support the system of care for healthy aging in New Hampshire. It builds on the supports we already have for keeping home and community health services, which are very important.
- Ms. Conforti-Adams related to committee members the auto accident that resulted in her being in a wheelchair. Normally, she would have been forced into a nursing home at 47 years of age. Even now, at 68 years of age, she doesn't want to be in a nursing home.
- She continues to work part-time to supplement Social Security.
- An aide comes to her home to help her with daily personal activities. It would cost so much more if she received these services in a nursing home.
- We need to increase the rates for these workers.
- Please support the system of care and Choices for Independent Living.
- Workforce housing is very important. Families spend 50-60 percent of their income on housing, and another 20-25 percent on child care to enable them to work.

Eileen Mitchell, Maxim Healthcare:

- Maxim Healthcare currently provides 120,000 hours of service and employs over 100 nurses and caregivers. They are part of Home Care Hospice and Palliative Care of New Hampshire, which represents the interests of home health care providers.
- Maxim nurses serve the most medically fragile individuals in the state. These patients require skilled nursing services performed by in-home registered nurses.
- Most of the patients require 24-hour nursing care. To provide this care, Maxim needs to increase its rates. The goal is to keep people in a comfortable environment to provide the highest quality of life and community engagement.
- Unfortunately, many children in New Hampshire with special health care needs are either not receiving enough nursing services in the home or are unable to access care at all.

- The lack of nurses stems from the state's low Medicaid reimbursement rate. The current rate is insufficient to maintain adequate staffing and patient care. They cannot compete with jobs in neighboring states.
- The lack of investment in the area has created critical access issues for services, and has forced many patients to seek more expensive care in hospitals and nursing homes.
- Please offer children and their families a chance at a better life. It is the right way to spend New Hampshire tax dollars.
- There is a balance act managing Medicaid costs. Funding would have tangible effects on New Hampshire families.
- Increasing New Hampshire's Medicaid reimbursement rates by 40 percent would place the state in competition with neighboring states.
- An increased investment of $2.6 million in 2024 and $5.3 million in 2025 would change the course the system is on.

Seifer Ragassa, Chief Probation Parole Officer; President, NH Probation Parole Officers Command Staff Union:

- Please support HB 436-FN-LOCAL for the Group II retirement benefit changes.
- We're losing seasoned, trained, experienced officers on a daily basis. It also affects the recruitment of personnel.
- Mr. Ragassa must also work once a week at the NH Men's Prison due to understaffing, alongside the National Guard.
- Can we fix this problem? Yes, we can.
- Nine out of ten university students have no desire to work as a law enforcement officer, although they are attending criminal justice courses.
- Please restore what was taken away from individuals in 2011.

Leslie Ela:

- Please fully fund SB 237-FN.
- Ms. Ela wanted to highlight two programs that exist for military families:
  (1) A childcare fee assistance program, which is federally funded, covers childcare fees for military families. The program is for active duty or activated service members. New Hampshire is one of a handful of states that has been approved to give funding for childcare on drill weekends. The program is not being utilized due to a lack of access to childcare and licensing issues. The program also provides childcare scholarships.
  (2) New Hampshire Childcare Scholarship Program.
- A single mother received a raise of $60 per month, but it pushed her over the limit to qualify for the childcare scholarship. This jeopardized her employment and housing.
- Investing in children and families will pay dividends for generations to come.

Chip Kimball, Chair, NH Wetlands Council:

- The Council hears appeals of DES wetlands and shorelands decisions.
- HB 2-FN-A-LOCAL contains revisions to the DES appeals process. They oppose in part and support in part the changes, and have provided written testimony. They are suggesting the formation of a study committee to review the appeals process.
- They support the moving of the Council's Appeals Clerk to the Department of Justice. They haven't had a full-time Appeals Clerk for 2 years. The DOJ would be able to provide better service than DES has been able to provide.
- They oppose the effort to move the appeals process completely to DOJ. It might be a good idea, but the way the language is written they're unsure it will be an improvement.

- This year they have scheduled 3 appeals hearings, but all 3 have been delayed for various reasons. A proposed study committee would look at the process to determine why we're moving backwards in terms of resolving these appeals issues.

Jessica Gordon, NH Hunger Solutions:

- Many families need free and reduced lunches. Families do not apply for the lunch assistance program because they do not think they qualify.
- Reduced cost of lunch is a great benefit for families.
- Not all families have access to an application on the Internet.
- There are many reasons that families do not apply for help. Some think that teachers will judge them. There is a stigma attached to the program.

Amy Moore, Director, In-Home Care Program, Ascentria Care Alliance:

- At Ascentria they serve approximately 400 individuals on the CFI waiver. The waiver has been underfunded by approximately $153 million since 2011.
- Ms. Moore shared with committee members examples of individuals they were unable to care for, and individuals who have passed away due to not receiving services.
- CFI costs a fraction of what a nursing home does. This is a system of care meaning we can't discharge from hospitals if there is no place for the individual to go.
- Both Ascentria and Waypoint are at a place where they may have to close their CFI programs. Ms. Moore's 15 year-old daughter makes more money babysitting than those who take care of our veterans.

Rick Singer, Board of Directors, Alzheimer's Association:

- Mr. Singer lost both his father and father-in-law to Alzheimer's Disease.
- The Association helps treat and spread awareness of the disease.
- SB 234-FN-A will drive awareness of the illness and help fund early diagnosis, which is critical.
- For the first time the FDA has approved a couple of drugs to treat Alzheimer's Disease. Detection is the key as those drugs halt the disease in its initial stages.

Holly Stevens, Director, Public Policy, NAMI NH:

- New Hampshire is in the midst of a mental health crisis exacerbated by the effects of the pandemic.
- During the past two years there have been significant increases in stress, anxiety and depression across all ages, though particularly impacting one of our most vulnerable populations, children and youth.
- The most visible symptom of this broad crisis is the emergency room boarding crisis that we've seen where individuals in mental health crisis are awaiting an inpatient bed for days, if not weeks. On any given day there are upwards of 60 individuals who are ready to be discharged from New Hampshire Hospital but are unable to do so because there is simply no place for them to go.
- In addition to lengthy waits for inpatient beds, Granite Staters are waiting months for initial outpatient, mental health appointments. One of the root causes of these long wait times is the workforce shortage crisis. As a result, individuals needing mental health treatment have difficulty accessing services that will support them in their community, allowing them to get the right care at the right place at the right time.
- When an individual has adequate community-based services they are less likely to need costly inpatient care to manage their mental illness.
- Another issue exacerbating the mental health crisis is the lack of appropriate and affordable housing in our state. New Hampshire is in need of step-up and step-down units, supportive

housing, residential treatment facilities, and additional individual and single-family housing units.

- Through adequate housing opportunities individuals would be better equipped to discharge from New Hampshire Hospital, opening up capacity and thus reducing the number of individuals boarding in ERs.
- While there has been significant investment in and much accomplished toward the implementation of New Hampshire's 10-Year Mental Health Plan, we know it is vital that we expand and enhance the work to address the needs of all Granite Staters impacted by mental illness and suicide. It is imperative this budget address the mental health crisis, the workforce shortage, and the lack of appropriate and affordable housing.
- NAMI NH urges the committee to increase Medicaid rates, and provide adequate funding for intensive re-entry services, additional inpatient bed capacity, step-up and step-down units, telephone, mobile and stabilization crisis services, supportive housing, residential treatment programs, affordable housing, and workforce development programs. Only a comprehensive approach will fully address the mental health crisis.

Ginny Nossiff:

- Ms. Nossiff is asking for continued funding for the mental health system.
- Before 2018, she believed if she had a mental health emergency she would find assistance.
- Ms. Nossiff related her son's experience with psychosis during his college years. He ended up being boarded for 2 weeks in a windowless room in a hospital, lying on a mattress. It was a nightmare. At each step, from crisis to stabilization to transitional support, they met with roadblocks. If the community health centers had paid their staff a livable wage, then Ms. Nossiff's son would have received immediate care.
- Please fund mental health care. Comprehensive funds are needed to treat all psychiatric patients in a timely and effective manner.

Susan Stearns, Executive Director, NAMI NH:

- Ms. Stearns has a family member living with a severe and persistent mental illness.
- Please ensure adequate funding for robust community-based services.
- Today there are 33 adults and 6 children boarding in New Hampshire hospitals waiting for a bed.
- We know this crisis has been going on for a decade. We also know too many family members have gone through these unacceptable conditions.
- Her family member is almost 52 years old. In 2013, after cycling in and out of hospitals, he had a course of very serious self-injury that left permanent damage and scarring, and landed him in the burn center at Mass General for an extended stay. The family believed he could no longer live independently in the community; it just was not safe. The budget at the time had funding for assertive community treatment teams. Ms. Stearns' loved one was Patient #2 at Lakes Region Mental Health Center for the ACT Team. They made sure he had regular visits every day, monitoring his compliance with his medication, helping him with activities of daily living, and helping him be engaged in his community. Ten years later he has not yet required a psychiatric inpatient admission.
- Funding our community-based services makes a difference and ultimately, saves money.

Brian Hawkins, NEA-NH:

- The Senate has a tremendous opportunity to begin to address many of the problems that cause the education workforce shortage. This includes additional funding aid for school districts.

- Schools face major problems. Teacher shortages have been exacerbated since the pandemic. More people are thinking of leaving the profession, either retiring early or leaving mid-career.
- Please include the language of SB 57-FN, relative to the reduction in calculation for state retirement annuities at age 65. This was endorsed by the retirement commission back in 2017. It would positively affect thousands of employees. The cost is small considering the size of the impact across the state.
- Please support SB 205-FN, regarding a cost-of-living adjustment for retirees. The average pension for an educator is just over $23,000 per year.
- Addressing workforce challenges starts with strengthening the pipeline. SB 140-FN is a great solution to create that pipeline.

Brady Bertrand:

- Please support funding for developmental and other disabilities served on the DD, ABD, HIS and CFI Medicaid Waivers to live inclusive and productive lives in the community, and a Medicaid rate increase to strengthen the workforce necessary to support these individuals.
- Brady's sister, Chloe, must have support 24 hours each day to be safe. She owns a small business.
- Brady's parents have not been able to find and keep direct care workers for Chloe. These workers make it possible for Chloe to live in the community. It enables Brady's parents to work and support their family.
- A Medicaid rate increase is needed to pay appropriate wages to keep these skilled professionals.
- Strengthening the workforce so that Chloe has the support needed to continue contributing is of utmost importance to Brady's family.

Kate Frey, Vice President-Advocacy, New Futures:

- New Futures is always supportive of a fully funded alcohol abuse prevention and treatment fund. The intent behind the creation of the fund in 2000 was to take a small portion of the substantial revenues, 5 percent of gross profits, and use it for substance prevention and recovery programs. This amount was estimated at $10.3 million in 2021. That funding should be decoupled from Medicaid expansion.
- The House-passed budget will fund critical programs.
- New Futures supports fully funding children's systems of care and crisis solutions for children.
- Grant the agency request for the WIC Farmers Market Benefit of $300,000. Invest in local farms to allow poor families access to fresh fruits and produce.

Liz Scruton, Early Childhood Initiatives Director, NH Children's Trust:

- Ms. Scruton has concerns about the childhood sector, and the need for New Hampshire lawmakers, businesses and residents to stand behind early care and education.
- Even before the pandemic they started to see a decline in programs, providers and educators.
- As this field is historically low paying, they've been struggling to ignite the passion and support for early childhood.
- Ms. Scruton has seen many warm and wonderful programs struggle to find staff, struggle with zoning and compliance issues, and struggle to keep their classrooms open.
- As New Hampshire attempts to attract young professionals and a diverse work population, our small state needs to find innovative ways to support families. The expansion of quality childcare programs through SB 237-FN is one of those ways.

- Ms. Scruton lives in New Durham, which is located in a childcare "desert". There might be 4 programs on her 40-minute commute to work, but none with availability or don't offer infant care.
- In 2021 New Hampshire led the nation in birth increases. The state's birth rate has grown 7 percent since 2019. The early childhood sector is feeling the strains of meeting the needs of families and professionals in the field. It is felt through the wait lists, the closed classrooms, and the numerous children unable to be served.
- Childcare is critical to families. But this field also plays a large role in the state's primary prevention realm. Providing childcare and education early in life helps reduce the likelihood of childhood abuse and neglect in our state. Each of these providers are connecting and supporting families.
- A child's behavior is an attempt to communicate, and the temper tantrum a child may be throwing in the middle of the grocery store is absolutely normal.
- Families are helped to manage their stressors.
- This investment would not only create economic support but would protect our youngest citizens.
- Childcare is not simply an interest of families, but is a critical part of the success of many sectors here in New Hampshire.

Jennifer Bertrand:

- Jennifer Bertrand is the mother to Chloe Bertrand, who testified earlier with her father. Mrs. Bertrand and her husband care for Chloe, who still lives at home and has a meaningful life.
- Direct care workers are important. The work they do in support of people like Chloe and their families is critical.
- During the pandemic, Chloe's seizure situation worsened significantly. She ended up in the hospital in May of 2020.
- Direct care workers take on more responsibilities than others. They provide all services to the patient. They basically have the keys to the house. It is important these people are skilled and trustworthy.
- The Bertrand family has not been able to find care workers. It is hard on Mr. and Mrs. Bertrand, working full time jobs and providing full time care to Chloe. Many families do not have the flexibility her family does. What is the cost of ***not*** raising Medicaid reimbursement rates and fully funding developmental services? It would result in people like Chloe having to be in a nursing home or sent out-of-state to an institution. That would be more expensive than the community-based care she is currently receiving.
- With health setbacks in the past few years, if Jennifer's husband were to have a medical issue, Chloe would not be able to continue to live at home.
- Please support a Medicaid rate increase and fully fund developmental services.

Amanda Sears, NH State Director, Campaign for a Family Friendly Economy:

- Please support increased reimbursement rates for in-home care providers, as well as increased investments in childcare in SB 237-FN.
- Parents are struggling to afford childcare and access to childcare. There are long wait lists all across the state at childcare centers. Centers are struggling to stay open. Almost every childcare center Ms. Sears speaks with has one or two open classrooms. Each open classroom represents 30 kids that can't be served. And 30 parents who are finding it impossible to participate in our workforce.
- Childcare is like the workforce behind the workforce. Centers are struggling to keep staff to fill those classrooms. Since the pandemic, 42 centers around the state have closed.

- There has also been a decrease in women's workforce participation since the pandemic. We have not come close to reaching the women's labor force participation we had pre-pandemic. Individuals are out of the workforce due to caregiving responsibilities due to a lack of childcare.
- Include the investments in childcare that are in the House-passed budget, and add funding for the workforce support grant program.

Krysten Evans, Policy Director, ABLENH:

- Please support funding increases for individuals with disabilities and their families. In addition, support a Medicaid reimbursement rate increase.
- ABLENH supports increased funding for the Affordable Housing Fund, the Housing Champion grant program, and InvestNH.
- These items would allow people with disabilities to live full, inclusive and independent lives.
- Please consider the long-term benefits of investing in disability services. It would contribute to the overall wellbeing of our communities.

Frank Knaack, Policy Director, ACLU-NH:

- There is a $1 million appropriation to create a real-time bail tracking system to enable judges and bail commissioners to have access to real-time information about whether someone is on release or not. It will enable them to make informed decisions on an individual basis. The ACLU supports such an initiative.
- Before funds are appropriated for the construction of a new men's prison, we should conduct a study as to what the incarceration level should be. How many beds do we actually need? Since 2014, our prison population in New Hampshire has decreased 35 percent. Between 2014 and 2021 crime has also decreased 31 percent. We can both reduce our prison population and make our communities safer at the same time. Before we spend half a billion dollars on a new facility, it is important to look at what the future of incarceration looks like, and make informed decisions as to what the number of beds should be.
- Notification to local and state law enforcement when the federal government sets up immigration checkpoints is important. This mirrors sobriety checkpoints and is best practice.
- Do not include the $1.4 million appropriation to create a northern border alliance. There are no responsive documents which confirm individuals are crossing the border without authorization.

Bonnie Dunham:

- Please ensure the budget meets the needs of individuals with developmental disabilities.
- Fully fund the developmental services budget and Medicaid rate increases. Both are critical to individuals with disabilities and their families.
- Ms. Dunham's son is 42 and has complex developmental disabilities. He is a great asset to the community, but his needs are intensive and expensive. He works at Wendy's and volunteers. He has a full and enriched life, but the quality of life is fully dependent on the services and support of the state, his parents, and local organizations like Gateways. He needs full time one-on-one support. He was receiving 35 hours per week in care from Gateways. However, the care worker recently retired at age 70. Low wages in the industry ensure they cannot find a new direct service provider for her son.
- Currently, Ms. Dunham is assisting her son at his job four morning per week, and then going to her own job. The proposed Medicaid rate increase would help address the shortage of service providers.
- Without services, Ms. Dunham cannot afford to keep her son at home.

Kristen Evans:

- Fully fund SB 237-FN, the Childcare for New Hampshire Working Families Act in the state budget.
- Ms. Evans is a single mother going to school full-time and working 3 jobs to survive. She is an early childhood professional, and she understands the dedication, love, and need for this vital work. However, with a family and low pay, she was forced to shift careers. She is currently a caseworker for "Our Place," a program of Catholic Charities New Hampshire that supports first-time moms who are experiencing the barriers of balancing work and child care.
- Ms. Evans and her husband rely on the childcare system in order to be an essential part of New Hampshire's economy. They struggle every single day to provide for their family. On a weekly basis they must decide if they pay for childcare, put food on the table, or pay rent, due to the cost of childcare. Their income is just over the threshold to be eligible for the New Hampshire Child Care Scholarship.
- Just yesterday, Ms. Evans started a second job, and is only able to put her children to bed 1-3 times during the week.
- They would rather work than rely on the social safety networks, but child care costs make it nearly impossible.
- SB 237 would adjust income eligibility to 85 percent of state median income for the New Hampshire Childcare Scholarship. That would allow the Evans family to qualify, and enable them to stay in the workforce.

Vanessa Desani:

- Please support SB 237-FN.
- Mrs. Desani and her husband work full time. Their child has had to spend numerous days at home because daycare is so expensive.
- Her family relies on childcare. She has experienced problems when her daughter is sick, requiring her to drive 30 miles to pick up her child, sometimes shortly after she has dropped her off. It is affecting job opportunities for Mrs. Desani.
- Cost is a major obstacle to daycare. They spend approximately $15,000 per year on daycare, which is twice the cost of tuition at the community college she works at.
- Mr. and Mrs. Desani do not qualify for subsidized childcare. Having another child would double the costs. No one should have to choose between having a career or being a parent.
- Childcare centers are closing because they cannot afford to pay good wages and are struggling to hire people as a result.

Captain Gary Burke, NH State Prison for Men; President, Supervisors Union:

- Captain Burke is one of the middle tier individuals, relative to HB 436-FN-L. He shared points specific to the prison system.
- Just in the month of April the state prison logged a total of 17,000 hours of overtime. It is the third time the National Guard has worked at the prison in a 2-year period. They logged 3,456 hours.
- Parole and probation officers are being pulled from the community to work at the prison, as well. They are helping with the rehabilitation of prisoners when they leave the prison.
- Some civilians are working in a control room, after completing 4 hours of training. This creates an unsafe environment for both workers and any residents that live there.
- The prison is currently at a 51 percent vacancy rate. There are 10 individuals at the Academy, with only 5 slated to come to Concord upon graduation.
- Twenty percent of their workforce, senior staff members, could be ready to leave. Forty-three percent of staff have less than 5 years' experience.
- Unanimously, the top two issues of Corrections staff are staffing shortages and overtime.

- A lack of retention also affects recruitment.
- Seventy-one percent of command staff at the prison do 3 mandatory overtime shifts per week.
- Staff levels are decreasing.
- HB 436-FN-L restores faith and improves morale. It will go a long way to retain the experienced, knowledgeable, loyal, state employees who are there currently.
- This situation is pervasive throughout law enforcement.
- There is a real crisis at the state prison right now.
- Senator D'Allesandro mentioned the passage of a recruitment and retention statute. He asked Captain Burke what can be done to enhance recruitment. Overtime is a killer--$9 billion per year. Recruitment and retention are vital if the workforce is to be built. Captain Burke stated HB 436-FN-L would go a long way to retain senior staff. It would lead to recruitment. When you look at Massachusetts currently, they still do 20 years of service with 50 percent of your 3 highest years. They are also offering for new employees 20 years, no age requirement, and 50 percent of their highest year. New Hampshire new employees have to do 25 or 30 years. If they worked in Massachusetts they can make significantly more, with a 10-year reduction in years of service. Those are huge changes that need to be made.

David Andrews:

- Mr. Andrews requested the committee not to think of HB 1-A and HB 2-FN-A-LOCAL as a one-year budget, but instead as an investment in the future in terms of housing, childcare, education, and environment.
- He related his experience in looking for a home in the Concord area for over a year, to no avail.
- The housing crisis is real. The housing market is extremely competitive, and it is difficult to find a house in New Hampshire.
- Do not eliminate the Dividends and Interest Tax. The interest paid on the money he has saved for a house was $24 in the past year. Don't eliminate the tax so that we have a $100 million surplus in the budget that can be invested in things like childcare, education, and housing.
- There is a way to lessen the tax burden. One way could be to double the floor of the tax instead of cutting it. That way tax relief would go to those on the lower end of the scale. Millionaires would still have to pay, but the vast majority will have no burden as a result of the tax.

Jenny Sweet:

- Fully fund the provisions of SB 75-FN, the Momnibus bill.
- Ms. Sweet is the single mom of 5 boys, and a survivor of domestic violence. She related her personal experience of giving birth to each of her sons. These traumatic experiences helped Ms. Sweet determine her passion in life. She has been studying birth and midwifery for 12 years.
- One in six mothers experience preventable birth trauma. Eighty percent of all infant morbidity and mortality is preventable.
- Having access to a doula and mental health care would have been incredibly helpful to her.
- Access to maternal health care is essential.

Sarah Sadowski:

- Ms. Sadowski's oldest daughter, Angelina, has cerebral palsy and is on the in-home support waiver for Medicaid.

- Please support the four Medicaid waivers and a Medicaid rate increase. Care workers are not being paid enough. Her family has been fortunate in that they have been able to keep caregivers, but they are both in their late-60s.
- Angelina wants to do things without her parents constantly looking over her shoulder. She would prefer someone other than her parents as a caregiver so that she can live a more independent and free life.

David Trumble:

- It is the duty of the state to provide education.
- New Hampshire has the lowest percentage of educational funding in the country.
- The duty is to provide public school education, not private school.
- The state must guarantee the funding for education. It is constitutionally required.
- Some elements of public school have been taken out of the Education Trust Fund, and the private school voucher program has been placed into it.
- The state must provide an adequate education.
- The Commissioner of the Department of Education has stated he has not even considered what it costs to provide an adequate education.
- Fortunately, there are people in this state concerned with public schools.
- The New Hampshire School Funding Fairness Project has a program working with local school districts to determine what could be provided educationally if you only used state-provided funds for education. For example, Allenstown reported if state adequate funding is used the classroom would be gigantic, i.e., 37 children per middle school classroom. Educational programs would be decimated. There would be no busing, even for special education. No new textbooks; no new Chrome books. There would be no co-curricular clubs, no art, music or physical education. There would be no behavioral teachers, reading specialists, guidance counselors, street crossing guards. There would be special education cuts throughout. There would be no money for snowplowing, grounds work, plumbing or heating repairs. The bond on the school would be unaffordable. If you only fund with adequate funding you have crumbling schools, no educational programs in gigantic classrooms. However, if you spend more money you will get better results, which leads to a better future for our state.
- Every $1000 spent per pupil leads to a 3 percent increase in test scores, 2 percent increase in graduation rates, and college applications go up by 3 percent. This would apply across the board, but especially in needy schools.
- In this state, property-poor towns cannot afford to provide an adequate education; it's an absolute fact.
- We are not living up to our constitutional obligation to our children.

Jessica Baker, Chair, Board of Trustees, Kreiva Academy:

- Kreiva Academy is a public charter school in Manchester.
- Ms. Baker's son struggled in public school. It wasn't until she found Kreiva Academy did her son succeed. She is now a strong advocate for charter schools. They are a great, public education choice for all in this state.
- Please support additional funding for charter schools.
- Kreiva Academy struggles with what little funding they do receive. The Manchester Public School District receives approximately twice the amount of funding. This places much pressure on Kreiva Academy, and the Board of Trustees is faced with a myriad of choices.

dm and kc
Date Hearing Report completed: May 19, 2023

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: April 25, 2023

HEARING

Tuesday	05/02/2023	
(Day)	(Date)	
Finance	State House Reps Hall	6:00 p.m.
(Name of Committee)	(Place)	(Time)

6:00 p.m.	**HB 1-A**	making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2024 and June 30, 2025.
6:00 p.m.	**HB 2-FN-A-LOCAL**	relative to state fees, funds, revenues, and expenditures.

Sponsors:
HB 1-A
Rep. Weyler Rep. Leishman Rep. Emerick Rep. Edwards
HB 2-FN-A-LOCAL
Rep. Weyler

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: May 18, 2023

EXECUTIVE SESSION

Tuesday	05/23/2023	
(Day)	(Date)	
Finance	State House 103	2:00 p.m.
(Name of Committee)	(Place)	(Time)

2:00 p.m. **EXECUTIVE SESSION**

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: May 18, 2023

EXECUTIVE SESSION

Thursday	05/25/2023	
(Day)	(Date)	
Finance	State House 103	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m. **EXECUTIVE SESSION**

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: May 25, 2023

EXECUTIVE SESSION

Tuesday	05/30/2023	
(Day)	(Date)	
Finance	State House 103	10:00 a.m.
(Name of Committee)	(Place)	(Time)

10:00 a.m. **EXECUTIVE SESSION**

Deb Martone 271-4980

James P. Gray
Chairman

SENATE CALENDAR NOTICE
Finance

Sen James Gray, Chair
Sen Daniel Innis, Vice Chair
Sen Jeb Bradley, Member
Sen Regina Birdsell, Member
Sen Howard Pearl, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: May 30, 2023

EXECUTIVE SESSION

Thursday	06/01/2023	
(Day)	(Date)	
Finance	State House 103	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m. **EXECUTIVE SESSION**

The Senate Finance Committee will meet 30 minutes after the conclusion of the Senate Session or at 1:00 p.m., whichever is later.

Deb Martone 271-4980

James P. Gray
Chairman

Testimony

Education Adequacy

In 1999 I was a member of the committee that devised what constituted adequacy. We were aware that if we dedicated more money to adequacy than was needed, then that money could not be used somewhere else. We had earlier experienced an education budget that used 103 million from the lottery. Those funds were dedicated, and could not be shifted. During the fiscal years the lottery raised more than what we appropriated, by 3 million. There was no way to try to use these funds where they might be needed more. The DoE just spent them. So, when we created the Education Trust Fund, we tried to give it less than what we budgeted. We would add General funds as needed. This system worked for twenty years, Now, as business profits grow and school enrollment declines, we go looking for ways to spend the Education Trust Fund Surplus. This is fraught with unnecessary spending. In the previous budget we removed 100 million from the State-Wide-Education-Property-Tax, (SWEPT) to reduce property taxes for 2023. In the Governor's proposal, he reduced the portion of the Business Taxes from 50% to 35% for funding the Education Trust Fund. That would still put more in the fund than was needed for adequacy. When we saw this in the House Budget, we reduced the portion of the Business Taxes to 22%. This restored the fund closer to its historic function. We should not be looking for other Education needs for this fund. We have always funded SPED, Tuition and Transportation, and other special programs from General Funds. It is a mistake to remove the amendment that we put in in the House version. It will cause shortages in General Fund needs in future budgets. We need to respond to the reality of demographics. The elderly population is increasing, while the school enrollment is shrinking. We are already spending more per pupil in every new budget, and then wondering why we cannot make more available for Medicaid. Restore the House amendment to return to more responsible budgeting.

Rep. Kenneth Weyler

Voting Sheets

Senate Finance Committee

EXECUTIVE SESSION

Bill # HB2-FN-A-L

Hearing date: 05/02/23

Executive session date: 06/01/23

Motion of: Move Amdt # 2076s VOTE: 5-2

		Made by	Seconded by	Reported by
Senator:	Gray	☐	☐	☐
	Innis	☑	☐	☐
	Bradley	☐	☐	☐
	Birdsell	☐	☐	☐
	Pearl	☐	☑	☐
	D'Allesandro	☐	☐	☐
	Rosenwald	☐	☐	☐

Motion of: OTP/A VOTE: 5-2

		Made by	Seconded by	Reported by
Senator:	Gray	☐	☐	☐
	Innis	☑	☐	☐
	Bradley	☐	☐	☐
	Birdsell	☐	☐	☐
	Pearl	☐	☑	☐
	D'Allesandro	☐	☐	☐
	Rosenwald	☐	☐	☐

Committee Member	*Present*	Yes	No	*Reported out by*
Senator Gray , Chairman	☑	☑	☐	☑
Senator Innis, Vice-Chair	☑	☑	☐	☐
Senator Bradley	☑	☑	☐	☐
Senator Birdsell	☑	☑	☐	☐
Senator Pearl	☑	☑	☐	☐
Senator D'Allesandro	☑	☐	☑	☐
Senator Rosenwald	☑	☐	☑	☐

Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Friday, June 2, 2023

THE COMMITTEE ON Finance

to which was referred **HB 2-FN-A-LOCAL**

AN ACT relative to state fees, funds, revenues, and expenditures.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-2

AMENDMENT # 2076s

Senator Daniel Innis
For the Committee

Deb Martone 271-4980

General Court of New Hampshire - Bill Status System

Docket of HB2

Docket Abbreviations

Bill Title: relative to state fees, funds, revenues, and expenditures.

Official Docket of **HB2.**:

Date	Body	Description
3/1/2023	H	**Introduced** 02/23/2023 and referred to Finance
3/10/2023	H	Public Hearing: 03/13/2023 02:00 pm Representatives Hall
3/23/2023	H	Executive Session: 03/27/2023 10:00 am LOB 210-211
3/24/2023	H	==CONTINUED== Executive Session: 03/28/2023 09:00 am LOB 210-211
3/23/2023	H	==CONTINUED== Executive Session: 03/29/2023 10:00 am LOB 210-211
3/30/2023	H	Majority Committee Report: Ought to Pass with Amendment **#2023-1247h** 03/30/2023 (Vote 14-11; RC)
3/30/2023	H	Minority Committee Report: Inexpedient to Legislate
4/6/2023	H	Amendment **#2023-1247h**: AA DV 351-38 04/06/2023 **HJ 12** P. 3
4/6/2023	H	FLAM **#2023-1336h** (Reps. Osborne, Wilhelm): AA **RC** 326-63 04/06/2023 **HJ 12** P. 84
4/6/2023	H	FLAM **#2023-1290h** (Reps. Stringham, Almy): AF **RC** 190-199 04/06/2023 **HJ 12** P. 92
4/6/2023	H	FLAM **#2023-1335h** (Reps. Heath, K. Murray): AF DV 189-194 04/06/2023 **HJ 12** P. 94
4/6/2023	H	FLAM **#2023-1292h** (Rep. Heath): AA **RC** 199-187 04/06/2023 **HJ 12** P. 95
4/6/2023	H	FLAM **#2023-1313h** (Reps. Heath, Luneau): AF **RC** 191-197 04/06/2023 **HJ 12** P. 97
4/6/2023	H	FLAM **#2023-1339h** (Rep. Muns): AF **RC** 128-259 04/06/2023 **HJ 12** P. 100
4/6/2023	H	FLAM **#2023-1299h** (Reps. Heath, Luneau, A. Murray): AA DV 241-143 04/06/2023 **HJ 12** P. 103
4/6/2023	H	FLAM **#2023-1272h** (Reps. Edwards, Moffett): AA VV 04/06/2023 **HJ 12** P. 103
4/6/2023	H	FLAM **#2023-1283h** (Rep. Comtois): AF DV 158-226 04/06/2023 **HJ 12** P. 104
4/6/2023	H	FLAM **#2023-1295h** (Rep. Prout): AA DV 249-136 04/06/2023 **HJ 12** P. 104
4/6/2023	H	FLAM **#2023-1328h** (Rep. Doucette): AA VV 04/06/2023 **HJ 12** P. 104
4/6/2023	H	FLAM **#2023-1288h** (Rep. Prout): AA DV 247-139 04/06/2023 **HJ 12** P. 104
4/6/2023	H	FLAM **#2023-1276h** (Rep. Hoell): AF **RC** 167-222 04/06/2023 **HJ 12** P. 105
4/6/2023	H	FLAM **#2023-1332h** (Rep. Prout): AF DV 158-231 04/06/2023 **HJ 12** P. 107
4/6/2023	H	FLAM **#2023-1284h** (Rep. Harrington): AF DV 182-205 04/06/2023 **HJ 12** P. 107
4/6/2023	H	FLAM **#2023-1333h** (Reps. Hoell, Prout, Comtois): AF DV 72-300 04/06/2023 **HJ 12** P. 107

4/6/2023	H	FLAM **#2023-1273h** (Rep. Verville): AF DV 160-214 04/06/2023 **HJ 12** P. 189
4/6/2023	H	**Ought to Pass with Amendment** 2023-1247h 2023-1336h 2023-1292h 2023-1299h 2023-1272h 2023-1295h 2023-1328h 2023-1288h : MA VV 04/06/2023 **HJ 12** P. 191
4/10/2023	S	Introduced 03/30/2023 and Referred to Finance; **SJ 13**
4/20/2023	S	Deliberative Session: 04/26/2023, Room 103, SH, 02:00 pm; **SC 19**
4/27/2023	S	**Hearing:** 05/02/2023, Representatives' Hall, SH, 01:00 pm; **SC 20**
4/27/2023	S	**Hearing:** 05/02/2023, Representatives' Hall, SH, 06:00 pm; **SC 20**
4/27/2023	S	Please note: These hearings will be streamed live via the Internet at the following web address: https://youtube.com/live/8hrh3neq6Sc?feature=share **SC 20**
6/1/2023	S	Committee Report: Ought to Pass with Amendment **#2023-2076s**, 06/07/2023; **SC 25**
6/7/2023	S	Committee Amendment **#2023-2076s**, AA, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2086s**, **RC** 1Y-23N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2147s**, DIV 10Y-14N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2144s**, AF, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2087s**, AF, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2090s**, **RC** 9Y-15N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Fenton Floor Amendment **#2023-2153s**, AF, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Lang Floor Amendment **#2023-2092s**, AA, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Lang Floor Amendment **#2023-2112s**, AF, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. D'Allesandro Floor Amendment **#2023-2143s**, **RC** 10Y-14N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Rosenwald Floor Amendment **#2023-2151s**, **RC** 10Y-14N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Perkins Kwoka Floor Amendment **#2023-2141s**, DIV 12Y-12N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Rosenwald Floor Amendment **#2023-2154s**, **RC** 10Y-13N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Whitley Floor Amendment **#2023-2158s**, **RC** 11Y-13N, AF; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Bradley Floor Amendment **#2023-2139s**, AA, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Bradley Floor Amendment **#2023-2140s**, AA, VV; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Bradley Floor Amendment **#2023-2171s**, AA, VV; 06/07/2023; **SJ 17**
6/8/2023	S	Sen. Soucy Floor Amendment **#2023-2148s**; 06/07/2023; **SJ 17**
6/8/2023	S	Sen. Soucy Withdraws Floor Amendment **#2023-2148s**; 06/07/2023; **SJ 17**
6/7/2023	S	Sen. Soucy Floor Amendment **#2023-2164s**, **RC** 10Y-14N, AF; 06/07/2023; **SJ 17**

6/9/2023	S	Sen. Soucy Moved to divide the Question on **Ought to Pass with Amendment**s: Sections 85-88, and the effective date: and then the remainder of the bill, and effective date; 06/07/2023; **SJ 17**
6/7/2023	S	The Chair ruled the Question Divisible; 06/07/2023; **SJ 17**
6/7/2023	S	Sections **Ought to Pass with Amendment** 85-88 and effective date, **RC** 15Y-8N, MA; 06/07/2023; **SJ 17**
6/8/2023	S	Sen. Murphy Moved to Reconsider Ought to Pass vote on Sections 85-88, MA, VV; 06/07/2023; **SJ 17**
6/7/2023	S	**Ought to Pass with Amendment** on Sections 85-88 and effective date, **RC** 14Y-9N, MA, 06/07/2023; **SJ 17**
6/7/2023	S	**Ought to Pass with Amendment** on the Remainder of the Bill and effective date, **RC** 24Y-0N, MA, OT3rdg; 06/07/2023; **SJ 17**
6/8/2023	H	Lay HB2 on Table (Rep. Harrington): MF DV 44-334 06/08/2023 **HJ 15**
6/8/2023	H	House Concurs with Senate Amendment (Rep. Weyler): MA **RC** 326-53 06/08/2023 **HJ 15**
6/7/2023	S	Without Objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate, MA; 06/07/2023; **SJ 17**
6/12/2023	S	Enrolled Bill Amendment **#2023-2179e** Adopted, VV, (In recess of 06/08/2023); **SJ 19**
6/12/2023	H	Enrolled Bill Amendment **#2023-2179e**: AA VV (in recess of) 06/08/2023 **HJ 15**
6/13/2023	S	Enrolled Adopted, VV, (In recess 06/08/2023); **SJ 19**
6/13/2023	H	Enrolled (in recess of) 06/08/2023 **HJ 15**
6/21/2023	H	Signed by Governor Sununu 06/20/2023; Chapter 79; Eff: 07/01/2023

NH House	NH Senate

Other Referrals

June 12, 2023
2023-2179-EBA
03/05

Enrolled Bill Amendment to HB 2-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 2-FN-A-LOCAL

AN ACT relative to state fees, funds, revenues, and expenditures.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 2-FN-A-LOCAL

This enrolled bill amendment makes technical and grammatical corrections to the bill and inserts a contingency.

Enrolled Bill Amendment to HB 2-FN-A-LOCAL

Amend RSA 12-P:4, III-a, as inserted by section 125 of the bill, by replacing line 3 with the following:

such powers as the commissioner may authorize.

Amend section 138 of the bill by replacing lines 1 and 2 with the following:

138 Education Trust Fund Created and Invested. RSA 198:39 is repealed and reenacted to read as follows:

198:39 Education Trust Fund Created and Invested.

Amend section 234 of the bill by replacing line 4 with the following:

aging switches, routers, and wireless access points at department offices. The department may accept and

Amend RSA 153:27-a, III(b), as inserted by section 302 of the bill, by replacing line 2 with the following:

the trade as *a* fuel gas [~~fitters, and one of whom shall represent the propane fuel industry~~] ***fitter***.

Amend RSA 310-B:4, VII, as inserted by section 323 of the bill, by replacing line 1 with the following:

[~~VII.~~] *VI.* The chairman of the board shall be elected from the board's members. [~~Neither the~~]

Amend section 378 of the bill by replacing it with the following:

378 Effective Date. Sections 373 - 377 of this act shall take effect 60 days after its passage; provided, however, that if HB 330 of the 2023 regular legislative session becomes law, then sections 373 - 377 of this act shall not take effect.

Amend section 417 of the bill by replacing line 5 with the following:

in section 416 of this act. The governor shall determine if any discretionary funds appropriated in the

Amend section 418 of the bill by replacing line 4 with the following:

reimbursement for state-certified doulas under the state Medicaid plan as provided in section 415 of

Amend section 419 of the bill by replacing line 4 with the following:

reimbursement for lactation services under the state Medicaid plan as provided in section 415 of this

Amend section 426 of the bill by replacing lines 2-4 with the following:

Amend RSA 126-A by inserting after section 101 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:102 Data Privacy and Information Technology Security Governance Board Established.

Amend RSA 126-A:100 as inserted by section 426 of the bill by replacing line 1 with the following:

126-A:103 Membership; Quorum.

Amend RSA 126-A:101 as inserted by section 426 of the bill by replacing line 1 with the following:

126-A:104 Duties.

Amend RSA 126-A:102 as inserted by section 426 of the bill by replacing line 1 with the following:

126-A:105 Risk Management.

Amend RSA 12-O:72 as inserted by section 462 of the bill by replacing line 8 with the following:

12-O:71. The department shall adopt rules establishing grant eligibility criteria, grant maximums,

Senate Inventory Checklist for Archives

Bill Number: HB2 - FN-A-LOCAL **Senate Committee:** FINANCE

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

___ Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

X Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

X - amendment # 2076S ___ - amendment #_____

___ - amendment #_____ ___ - amendment #_____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

X - amendment # 2086S X - amendment # 2087S

X - amendment # 2147S X - amendment # 2090S

X FA # 2144S X FA #2153S

X FA 2144S

X FA 2092S X FA 2154S

X FA 21125 X FA 2158S

X FA 21435 X FA 2139S

X FA 2151S X FA 2140S

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

X Enrolled Bill Amendment(s) 2179S

___ Governor's Veto Message

X FA 2176S

X FA 2148

X FA 2164S

All available versions of the bill: {Clerk's Office}

X as amended by the senate ___ as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Debra A. Mantore
Committee Aide

07/11/23
Date

Senate Clerk's Office AK