

Sen. Lang, Dist 2  
Sen. Watters, Dist 4  
December 22, 2025  
2025-3113s  
08/07

Floor Amendment to HB 222

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT           repealing the requirement for a memorandum of understanding between a chartered  
4                   public school and school district regarding how students with disabilities will receive  
5                   special education services and updating the organizational structure of the  
6                   department of corrections.  
7

8 Amend the bill by replacing all after section 1 with the following:

9

10           2 Internal Organizational Units; Department of Corrections. Amend RSA 21-H:4 to read as  
11 follows:

12           21-H:4 Internal Organizational Units.

13           The department shall include the following internal organizational units performing the  
14 following major functions:

15           I. The [~~division of administration, under the supervision of an~~] unclassified [~~director of~~  
16 ~~administration,~~] **chief financial and operating officer** [~~who~~] shall, in accordance with applicable  
17 laws, be responsible for:

18                   (a) Accounting, purchasing, and budget control.

19                   (b) Property, contracts, and grant management.

20                   (c) Assistance to the commissioner with short and long range department-wide planning  
21 activities.

22                   (d) Logistics, facilities management, and food service.

23                   (e) **Business information and technology.**

24                   (f) **Other duties assigned by the commissioner.**

25           **I-a. The unclassified director of personnel and information shall be renamed the**  
26 **director of operations and project management and shall report directly to the chief**  
27 **financial and operating officer.**

28           II. The division of field services, under the supervision of an unclassified director of field  
29 services, who shall, in accordance with applicable laws, be responsible for:

30                   (a) Supervising adults placed on probation and [~~residents~~] **inmates** placed on parole.

31                   (b) Collection of restitution from individuals under the department's supervision.

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1           ~~[(c) The victim-offender dialogue program, which shall be a victim-initiated, voluntary~~  
2 ~~program to assist crime victims who seek access to restorative justice programs as provided under~~  
3 ~~RSA 21-M:8-k, II(u), under the direction of the victim services coordinator, who shall:~~

4                     ~~(1) Implement and oversee the program.~~

5                     ~~(2) Advocate for the rights of crime victims.~~

6                     ~~(3) Provide corrections-based victim services including but not limited to:~~

7                             ~~(A) Notification of offender status changes.~~

8                             ~~(B) Victim-initiated victim-offender dialogue.~~

9                             ~~(C) Advocacy, safety, and support for victims during reduced custody, offender~~  
10 ~~re-entry, and hearings of the adult parole board. Participation in the program shall not affect the~~  
11 ~~court's decision relative to sentencing, parole, or other types of supervised or unsupervised release~~  
12 ~~programs.]~~

13           III. The division of medical and ~~[psychiatric]~~ **forensic** services, under the joint supervision  
14 of a medical director and an unclassified non-medical director, who shall respectively have the duties  
15 and responsibilities provided in RSA 622:43, and who shall act in an advisory and coordinative  
16 capacity in assisting other agencies and activities in the provision of mental health and psychiatric  
17 services to persons involved in the criminal justice system.

18           IV. The ~~[division]~~ **bureau of investigations and** professional standards, under the  
19 supervision of ~~[an unclassified director]~~ **an unclassified bureau chief of investigations** of  
20 professional standards, who shall, in accordance with applicable laws:

21                     (a) Conduct and supervise investigations and audits relating to all aspects of the  
22 operations and programs of the department, including but not limited to, complaints and grievances.

23                     ~~(b) [Coordinate and recommend policies designed to promote economy, efficiency, and~~  
24 ~~effectiveness in the administration of the department, and to detect and prevent fraud and abuse in~~  
25 ~~departmental programs and operations.~~

26                     ~~(e)]~~ Advise the commissioner concerning problems or deficiencies relating to the  
27 administration of departmental programs and operations, and provide advice on the necessity for,  
28 and progress of, correctional action.

29                     ~~[(d)]~~ **(c)** Perform other duties as assigned by the commissioner.

30           V. The ~~[division of personnel and information,]~~ **human resources bureau** under the  
31 direction of ~~[an unclassified director of personnel and information]~~ **a classified human resources**  
32 **director**, who shall, in accordance with applicable laws, be responsible for the following functions:

33                     (a) Personnel management, recruitment, and retention. The department shall develop a  
34 program for the recruitment, selection, placement, and retention of qualified applicants for the New  
35 Hampshire department of corrections.

36                     (1) The program may include expenditures for recruitment and retention activities  
37 and incentives, including but not limited to:

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1 (A) National Corrections Professionals Week recognition activities at all  
2 departmental sites to support employee retention, which may include a paid meal for the site during  
3 the week, physical awards and gift cards with a value of less than \$25 as performance incentives  
4 based on departmental policies for employee recognition, and items issued to employees that are  
5 within the financial scope of the department's current expense appropriations in expenditure class  
6 020.

7 (B) Referral fees or bonuses for active employees or newly hired applicants who  
8 have not been employed by the state through a policy approved by the commissioner.

9 (2) Any recruitment or retention incentives received by an employee pursuant to this  
10 subparagraph shall not be considered gifts under RSA 15-B.

11 (3) Referral of applicants by current department employees for the purpose of  
12 receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position  
13 under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued  
14 by the director regarding the referral program shall require that the benefits of the program shall be  
15 equally available to all department employees, except as specified in subparagraph (1)(B), and  
16 subject to uniform criteria established by the director.

17 (4) Any expenditures made for recruitment or retention incentives pursuant to this  
18 subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit  
19 employees and the state, and that is confined exclusively to the public employer by statute as  
20 provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this  
21 paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered  
22 into by the state.

23 (b) ~~[Employee training and development.~~

24 (c) ~~Internal and external communications, including management of the department's~~  
25 ~~public communications portals.~~

26 (d) ~~Business information and technology.~~

27 (e) Other duties as assigned by the commissioner.

28 VI. The division of rehabilitative services, under the supervision of an unclassified director  
29 of rehabilitative services, who shall, in accordance with applicable laws:

30 (a) Direct and oversee departmental rehabilitative services for ~~[residents]~~ **inmates** to  
31 prepare them for release from institutional settings into the community.

32 (b) Coordinate with community organizations to provide a continuity of rehabilitative  
33 services for individuals under probation or parole supervision in order to achieve stability within the  
34 community and reduce recidivism.

35 (c) Operate and administer all transitional work and housing units where ~~[residents]~~  
36 **inmates** are assigned for minimum security and work release.

1 (d) Serve as the primary liaison between the department and community-based service  
2 providers, and municipal, county, and state entities with common issues and responsibilities,  
3 including educational and vocational or career-path opportunities.

4 (e) Work with the department of justice and other state and federal agencies to identify,  
5 secure, and manage grant funds to supplement services available to individuals under departmental  
6 supervision, including but not limited to housing and employment assistance, substance abuse  
7 treatment, mental health treatment, and medical and prescription services.

8 ***VII. The division of communications and external affairs, under the supervision of***  
9 ***an unclassified director of communications and external affairs, who shall, in accordance***  
10 ***with applicable laws be responsible for:***

11 (a) *Internal and external communications, including management of the*  
12 *department's public communications portals.*

13 (b) *The victim-offender dialogue program, which shall be a victim-initiated,*  
14 *voluntary program to assist crime victims who seek access to restorative justice programs*  
15 *as provided under RSA 21-M:8-k, II(u), under the direction of the victim services*  
16 *coordinator, who shall:*

17 (1) *Implement and oversee the program.*

18 (2) *Advocate for the rights of crime victims.*

19 (3) *Provide corrections-based victim services including but not limited to:*

20 (A) *Notification of offender status changes.*

21 (B) *Victim-initiated victim offender dialogue.*

22 (C) *Advocacy, safety, and support for victims during reduced custody,*  
23 *offender re-entry, and hearings of the adult parole board. Participation in the program*  
24 *shall not affect the court's decision relative to sentencing, parole, or other types of*  
25 *supervised or unsupervised release programs.*

26 (c) *Coordinate and recommend policies designed to promote economy, efficiency,*  
27 *and effectiveness in the administration of the department, and to detect and prevent fraud*  
28 *and abuse in departmental programs and operations.*

29 (d) *Provide legislative oversight for the department.*

30 (e) *Other duties as assigned by the commissioner.*

31 ***VIII. The bureau of training under the direction of a classified training bureau***  
32 ***chief, who shall, in accordance with applicable laws, be responsible for employee training***  
33 ***and development.***

34 3 Commissioner and Other Department Officials; Department of Corrections. Amend RSA 21-  
35 H:6 to read as follows:

36 21-H:6 Commissioner and Other Department Officials; Appointment; Term.

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1 I. The commissioner of the department shall be appointed by the governor, with the consent  
2 of the council, and shall serve for a term of 4 years from the date of appointment and until a  
3 successor is appointed.

4 ~~II. [The commissioner of the department shall nominate for appointment by the governor,  
5 with the consent of the council, an assistant commissioner who shall serve at the pleasure of the  
6 commissioner.~~

7 ~~III. The commissioner shall nominate for appointment by the governor, with the consent of  
8 the council, a professional standards director who shall serve at the pleasure of the commissioner.~~

9 ~~IV. The commissioner shall nominate for appointment by the governor, with the consent of  
10 the council, a director of personnel and information who shall serve at the pleasure of the  
11 commissioner.~~

12 ~~IV-a. The commissioner shall nominate for appointment by the governor, with the consent of  
13 the council, a director of rehabilitative services who shall serve at the pleasure of the commissioner.~~

14 ~~V. The commissioner shall nominate for appointment by the governor, with consent of the  
15 council, each division director and warden of all the New Hampshire state prisons. All division  
16 directors and the wardens shall serve at the pleasure of the commissioner.~~

17 ~~VI. The commissioner of the department shall nominate for appointment by the governor,  
18 with the consent of the council, physicians, and dentists who shall serve at the pleasure of the  
19 commissioner.~~

20 ~~VII.] *There shall be established within the department the following unclassified*  
21 *positions.*~~

22 ~~(a) *The commissioner of the department shall nominate for appointment by the*  
23 *governor, with the consent of the council, 2 assistant commissioners who shall serve for a*  
24 *term of 4 years from the date of appointment and until a successor is appointed.*~~

25 ~~(b) *The commissioner shall appoint a person to each unclassified position*  
26 *authorized by the legislature. The annual salary of such unclassified employees shall be as*  
27 *prescribed in RSA 94:1-a and RSA 94:3-b, II. The provisions of RSA 21:33-a shall not apply*  
28 *to appointments made under this subparagraph.*~~

29 ~~(c) *Each person appointed under subparagraph (b) shall serve at the pleasure*  
30 *of the commissioner.*~~

31 ~~III. Wardens, physicians, and dentists may be assigned to any correctional facility at the  
32 discretion of the commissioner.~~

33 4 State Officers; Positions Added. Amend RSA 94:1-a, I(b) by adding the following:

34 GG Department of corrections chief financial and operating officer

35 GG Department of corrections director of operations and project management

36 5 State Officers; Positions Eliminated. Amend RSA 94:1-a, I(b) by deleting the following:

37 GG Department of corrections director, division of administration

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1 GG Department of corrections director, professional standards

2 GG Department of corrections director of personnel and information

3 6 Department of Corrections; Assistant Commissioner. There is established within the  
4 department of corrections a second unclassified position of assistant commissioner. The assistant  
5 commissioner shall be qualified for the position by reason of education and experience, shall be  
6 appointed by the commissioner of the department of corrections, and shall serve at the pleasure of  
7 the commissioner. The salary of the assistant commissioners shall be as specified in RSA 94:1-a.  
8 The department shall fund the new assistant commissioner position with funding originally  
9 allocated to the professional standards director, position number 9U548, and the training  
10 development manager, position number 42283.

11 7 Department of Corrections; Chief Financial and Operating Officer. There is established  
12 within the department of corrections the unclassified position of chief financial and operating officer.  
13 The chief financial and operating officer shall replace the director of administration position, 9U113,  
14 located in accounting unit 02-46-46-461510-8300. Upon completion of this action, position 9U113  
15 shall be abolished to allow transition. The incumbent in the abolished position shall be offered the  
16 opportunity to transfer into the newly established chief financial and operating officer position.

17 8 Department of Corrections; Director of Operations and Project Management. There is  
18 established within the department of corrections the unclassified position of director of operations  
19 and project management. The director of operations and project management shall replace the  
20 director of personnel and information position, 9U547, located in the accounting unit 02-46-46-  
21 461510-6528. Upon the completion of this action, position 9U547 shall be abolished to allow  
22 transition. The incumbent in the abolished position shall be offered the opportunity to transfer into  
23 the newly established director of operations and project management position.

24 9 Department of Corrections; Communications and External Affairs. There is established  
25 within the department of corrections the unclassified position of director of communications and  
26 external affairs. The director of communications and external affairs shall replace the administrator  
27 III position, 18467, located in accounting unit 02-46-46-461510-7101. Upon completion of this action,  
28 position 18467 shall be abolished to allow for the transition of this classified position into the  
29 unclassified system. The incumbent in the abolished classified position shall be offered the  
30 opportunity to transfer into the newly established director of communications and external affairs  
31 position. The salary of this position shall be determined after assessment and review of the  
32 appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position, which shall be  
33 conducted pursuant to RSA 94:1-d and RSA 14:14-c.

34 10 Effective Date.

35 I. Section 1 of this act shall take effect 60 days after its passage.

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

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AMENDED ANALYSIS

This bill repeals the requirement for a memorandum of understanding between a chartered public school and school district regarding how students with disabilities will receive special education services.

This bill also updates the organizational structure of the department of corrections.