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New Hampshire

HOUSE RECORD

First Year of the 166th General Court

Calendar and Journal of the 2019 Session

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Concord, N.H.

Thursday, April 11, 2019

No. 13

HOUSE JOURNAL NO. 12 (Cont'd)

Thursday, April 4, 2019

Rep. Ley moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL NO. 13

Thursday, April 11, 2019

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O God, as new life breaks forth from winter-chilled earth, we pray that You would breathe new life into our souls and bodies. Renew our strength for the work You have called us to do, help us to be careful stewards of our resources, as gardeners care for the ground they till and the plants they raise. Like gardeners, we tend seeds sown with hope and expectation; whether or not we ourselves placed them in the soil, we are called to nurture them as they develop and grow. Give us grace to recognize and celebrate the efforts of those who have gone before us, to be respectful of their vision even as we move forward with ideas of our own. Keep us mindful of the variety and richness that surrounds us, of the beauty of our environment and its people, and our responsibility to care for them. May we be gracious and loving stewards of all the gifts we receive from You. Amen.

Representative Michael Cahill, member from Newmarket, led the Pledge of Allegiance.

The National Anthem was sung by the member from Canaan, Representative Timothy Josephson.

LEAVES OF ABSENCE

Reps. Gidge, Gunski and O'Connor, the day, illness.

Reps. Buchanan, Leishman, Mackie, Pickering, Piemonte, Marjorie Smith, Somero, Swinburne, Trento and Verville, the day, important business.

Rep. Belanger, the day, illness in the family.

INTRODUCTION OF GUESTS

Fourth-grade students from Alton Central School, guests of Rep. Howard. Fourth-grade students from Pierce Elementary School, and Frankestown Elementary School, guests of the Hillsborough Districts 4 and 38 Delegations. Fourth-grade students from The Lempster School, guests of Reps. Aron and Steven Smith.

REGULAR CALENDAR

HB 25-A, making appropriations for capital improvements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Cloutier for Public Works and Highways. This bill is New Hampshire's two-year capital budget, effective July 1, 2019 through June 30, 2021. The capital budget provides bonded funding for statewide capital improvements; including construction, repairs, and investments in state-owned buildings, state facilities and parks. Such improvements aim to maintain and strengthen our state's non-highway transportation, building, and technological infrastructure. The capital budget, as recommended by the committee, appropriates approximately \$124 million in general fund bonding, which is about \$1 million less than the previous capital budget approved in 2017. It is about \$4 million more than the budget recommended by the Governor and the additions include funding for public transit bus and facility matching funds, repairs to state-owned active railroad lines and bridges, matching funds to other railroads, Rye Harbor dredging, rebuilding the access road

at Berlin's Northern New Hampshire Correctional Facility, and fully funding the state share of the completion of the Rochester Career and Technical Education (CTE) Center. This decision to appropriate \$124 million was made after careful deliberation and analysis of information regarding the state's ratio of debt service to unrestricted general fund revenue from the state treasurer, based on RSA 6-C, which outlines our bonding parameters. Working with the state treasurer, the committee determined that the increase of \$4 million of bonding over what was recommended by the Governor would only affect our debt service ratio by 0.1% in fiscal year 2022 and thereafter, and not at all before that. Weighing the needs of the state and the opportunities presented by the additional bonding against this small rise in the debt ratio, the committee decided to recommend the capital budget of \$124 million. This investment of \$124 million in general fund bonds would result in the leveraging of approximately \$152 million in federal funds, \$6.9 million in local education funds, as well as \$1.8 million in private funds for various selected projects. Examples of such leveraging include \$55 million in federal funds to be used by the New Hampshire Department of Environmental Services (DES) as part of the state's match to help several local communities upgrade their Clean as well as Drinking Water Systems, with DES only having to kick in approximately \$9.9 million in general funds. Another example is an appropriation of \$756,250 in general fund bonds to the Pease Development Authority that will leverage about \$7.9 million in federal aid for the dredging of both Hampton and Rye Harbors. Finally, approximately \$4.4 million in general fund bonding will leverage the same amount of federal funds to help the Department of Health and Human Services (DHHS) upgrade its Comprehensive Child Welfare Information System. Leveraging of federal and other funds aside, more specific parts of the capital budget include improvements to our state parks and cultural resources. For example, a total of \$7,145,000 is appropriated to the Department of Natural and Cultural Resources (DNCR) for roofing and repairs to various park buildings, expansion of the Mount Washington sewage treatment plant, upgrades to park bathrooms, restoration of historic sites, as well as engineering monies for a new archaeology lab and climate-controlled storage area at the State Library. More specifically, a total of \$740,000 is appropriated to DNCR for improvement of the existing boat ramp and increased parking at Newbury's Sunapee State Beach. This boat ramp will improve public boat access to Lake Sunapee. Support for facilities and equipment required by the state's secondary and post-secondary educational institutions are also part of the capital budget's many appropriations. These appropriations include \$6,475,500 for the Community College System to do critical maintenance, safety, and master plans at all 12 of its campuses around New Hampshire. Additionally, a maximum of \$10 million is appropriated to the University System for renovations at UNH's Spaulding Hall in Durham. But an additional maximum of \$32 million is promised to the University System in the next two capital budgets for renovations at Plymouth State University's Hyde Hall and Keene State College's Elliot Student Center. Also, \$4 million under the Department of Education has been allocated to finish the state's share of renovations to Rochester's CTE Center. This is on top of the state's share of \$12 million allocated to Rochester for the CTE renovations appropriated in the previous capital budget. Finally, \$14,450,000 has been designated for the state's share of renovations at Hudson's CTE Center. Another committee priority was funding projects that will either save our state money in the operating budget long-term or help generate more revenue. One example includes a \$1.2 million appropriation to DHHS for enhancement of the Glencliff Home's electrical system. The current electrical system is powered by diesel fuel and uses 280 gallons of diesel per day to run the system. With the system enhancement, such diesel fuel use could be cut by 100 gallons per day. Another project that will provide long-term operating budget savings is the \$4.5 million appropriation to the Department of Corrections for renovations to the kitchen at the NH State Prison for Men in Concord. These renovations will result in the installation of new ovens, freezers, and coolers which are more energy-efficient than the present kitchen's appliances. Additionally, a total appropriation of \$23,345,000 has been recommended to the Department of Administrative Services for upgrades at various state buildings-several of which involve the installation of new heating boilers and electrical systems, which will also be more energy-efficient. Finally, as for generating more state revenue, a total of \$2 million was appropriated to the Liquor Commission for new computer software, which will allow the stores to more safely and efficiently process credit and debit card sales. As for non-highway transportation needs, \$77,662,527 - all but \$4,123,555 of it in federal funds-- was appropriated to the Department of Transportation for repairs and improvements to New Hampshire's 12 municipal airports under the supervision of the Federal Aviation Administration. This \$4,123,555 is another example of our how general fund dollars leverage federal dollars. Additionally, a total of \$1.984 million in general funds were appropriated for repairs to state-owned rail lines and rail bridges. \$1.8 million were appropriated to two private short-haul rail companies, the Coos County Rail Line and the Strafford & Carroll County Rail Line, for improvements; provided that they put up at least another \$1.8 million in matching money for the same improvements. Such projects are important to maintain these short-haul lines, which allow freight to be carried over them, instead of loading freight onto heavy trucks that further damage our deteriorating roads and bridges. Finally, \$907,460 in general funds was designated for use by our state's seven local transit agencies to help them purchase buses for their public transportation services upon which more and more of our citizens are coming to rely. In summary, this capital budget, as unanimously recommended by the committee, helps New Hampshire maintain and enhance its infrastructure. But it also stimulates private business growth and

economic opportunity. The projects for which money is appropriated will create jobs for many small and large contracting businesses throughout our state. The committee did the best it could to spread as many of these projects to all corners of the state - from the Connecticut River Valley, to the North Country, to the Southern Border, to the Seacoast. Vote 18-0.

Amendment (1373h)

Amend the bill by replacing sections 1-3 with the following:

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Adjutant General

A. Concord Aviation Readiness Center	2,850,000
Less Federal Funds	<u>(2,850,000)</u>
Net State	0
B. Federal Statewide Repairs And Upgrades	15,000,000
Less Federal Funds	<u>(15,000,000)</u>
Net State	0
C. Minor Military Construction Statewide	3,500,000
Less Federal Funds	<u>(3,500,000)</u>
Net State	0
D. Manchester Anti-Terrorism Force Protection Renovations	1,000,000
Less Federal Funds	<u>(500,000)</u>
Net State	500,000
E. Grafton County Readiness Center - Design	2,000,000
Less Federal Funds	<u>(1,500,000)</u>
Net State	500,000
F. Aviation Hangar Bay	4,160,000
Less Federal Funds	<u>(2,080,000)</u>
Net State	2,080,000
G. Veteran's Cemetery - Replace Backhoe	115,000

Total state appropriation paragraph I

\$3,195,000

II. Department of Administrative Services

A. Statewide Projects, Statewide Emergency Funding	1,500,000
B. General Services	
1. Walker Building HVAC Repairs And Replacements	729,000
2. State House Basement Fire Protection	140,000
3. Storrs Street Parking Garage Repairs	2,220,000
4. State House Annex Renovations	5,320,000
5. State House Annex Elevator Upgrades	900,000
6. Roof Replacements And Exterior Repairs	544,500
7. Temporary Boiler Steam Infrastructure Removal	274,500
8. HHS And DES Mechanical Replacements	1,125,000
C. Facilities & Asset Management	
1. Concord Steam - Raze Structurally Deficient Building	2,898,500
2. Emergency Back-Up Generator Power To New Boilers	1,534,500
3. Annex 1 - Life Safety/ADA Improvements	1,458,000
4. Thayer Building - Relocate and Upgrade Electrical Service	166,500
5. Paint And Carpentry - Upgrade Electrical Service And Entrance	229,500
D. Court Facilities	
1. Rockingham County Courthouse - New Chiller, Variable Frequency Drives and Controls	576,000
2. Rockingham County Courthouse - HVAC Pipes	733,500
3. Coos County Courthouse - New Boilers	166,500
4. Rochester Circuit Court - New Boilers And Building Management System	216,000
5. Generators - Conway, Coos, Jaffrey, Lebanon, Plymouth	948,000
6. Hillsborough County South - Cellblock Renovation	225,000
E. Financial Data Management, ERP Sustainability and Advancement	1,440,000

Total state appropriation paragraph II

\$23,345,000

III. Community College System of New Hampshire

A. Critical Maintenance and Safety, Master Plans	6,475,500
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Total state appropriation paragraph III

\$6,475,500

IV. Department of Corrections

A. Perimeter Security and Fence Detection Systems	1,600,000
B. Kitchen Renovation	4,320,000
C. Rebuild/Replace Access Road, Berlin	721,000
D. Door Replacements	198,000

Total state appropriation paragraph IV \$6,839,000

V. Department of Education

A. Renovation of Rochester CTE Center, State Share*	4,000,000
B. Renovation of Hudson CTE Center, State Share*	14,450,000
C. Pre-Engineering Technology	100,000

Total state appropriation paragraph V \$18,550,000

*The funds appropriated to the department of education for CTE centers in Hudson and Rochester shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.

VI. Department of Environmental Services

A. Dam Repairs and Reconstruction*	4,144,500
B. Construction and Operations Facility	8,235,000
C. Clean Water State Revolving Fund State Match	6,573,000
D. Drinking Water State Revolving Fund State Match	3,348,200
E. IT Upgrades For E-Permitting and Automation	1,460,970

Total state appropriation paragraph VI \$23,761,670

*For the appropriation made in subparagraph VI, A, the department is authorized to reallocate funds as necessary to address emergencies or alternate repairs or reconstruction needs at other dams if delays in other projects occur.

VII. Fish And Game Department

A. Building Security And Fire Safety Improvements	350,000
Less Other Funds*	<u>(350,000)</u>
Net State	0
B. Milford Hatchery Well Reconstruction	50,000
Less Other Funds*	<u>(50,000)</u>
Net State	0

Total state appropriation paragraph VII \$0

*To provide funds for the appropriations made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$400,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fish and game fund established in RSA 206:33.

VIII. Department of Health and Human Services

A. DCYF Comprehensive Child Welfare Information System	8,884,352
Less Federal Funds	<u>(4,442,176)</u>
Net State	4,442,176
B. Glencliff Home Potable Water System - Phase II	1,485,000

Total state appropriation paragraph VIII \$5,927,176

IX. Department of Information Technology*

A. Digital Government Transformation (Enterprise)	2,965,500
B. Continuity of Operation and Disaster Planning	235,000
C. Cybersecurity - Program Enhancements	1,092,000

Total state appropriation paragraph IX \$4,292,500

*The commissioner of the department of information technology is authorized to reallocate funds among the projects in subparagraphs IX, A-C as necessary to complete the projects.

X. Judicial Branch

A. New Hampshire e-Court	1,710,000
B. Information Technology Infrastructure*	50,000

Total state appropriation paragraph X \$1,760,000

*Funds appropriated in subparagraph X, B shall be in addition to the sums appropriated in the operating budget for the biennium, HB 1-A, to address information technology infrastructure needs of the judicial branch.

XI. Liquor Commission

A. Computer Software - Credit Cards - POS*	2,000,000
Less Other Funds	<u>(2,000,000)</u>
Net State	0

Total state appropriation paragraph XI \$ 0

*To provide funds for the appropriations made in paragraph XI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

XII. Department of Natural and Cultural Resources

A. Roofing and Repair	1,350,000
B. Mount Washington Sewage Treatment Expansion	1,870,000
C. Restoration of Historic Sites	630,000
D. Campground Toilet Buildings	1,305,000
E. Day-Use Toilet Buildings	720,000
F. Mount Sunapee State Park Beach Boat Ramp	740,000
Less Other Funds*	(340,000)
Net State	400,000
G. Communication System Replacement	400,000
H. Climate Controlled Storage Area - State Library	200,000
I. Archaeology Lab	270,000

Total state appropriation paragraph XII \$7,145,000

*To provide funds for the appropriations made in subparagraph F, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$340,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the statewide public boat access fund in RSA 233-A:13. The department of natural and cultural resources shall be responsible for the improvements to and operation of the boat ramp and parking at Mount Sunapee state park beach. In addition, the department of natural and cultural resources, on behalf of the state, may accept donations designated for the Mount Sunapee state park beach boat ramp project and shall use such donations for project costs. The improved boat ramp is intended for use as a public boat access area under RSA 233-A. The department of natural and cultural resources shall report on the progress of the project to the capital budget overview committee in October and April of each year until project is completed.

XIII. Pease Development Authority

A. Hampton Harbor Dredging	118,750
B. Rye Harbor Dredging	637,500

Total state appropriation paragraph XIII \$756,250

XIV. Police Standards and Training Council

A. Boiler Replacement	1,035,000
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Total state appropriation paragraph XIV \$1,035,000

XV. Department of Safety, General Funds

A. Fire Academy HVAC Upgrade*	426,000
Less Other Funds	(426,000)
Net State	0
B. Fire Academy, New Truck*	1,200,000
Less Federal Funds	(504,000)
Less Other Funds	(696,000)
Net State	0
C. Criminal Records Customer Portal**	600,000
Less Other Funds	(600,000)
Net State	0
D. Troop C Renovation- General Fund Portion	959,850

Total state appropriation paragraph XV \$959,850

*To provide funds for the appropriation made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,122,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

**To provide funds for the appropriation made in subparagraph C, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the special nonlapsing account for the expenses of the criminal records section, established in RSA 106-B:7, II.

XVI. Department of Transportation, General Funds

A. Aeronautics, Rail, and Transit, 5 percent match for Federal Aviation Administration Projects	77,662,527
Less Federal Funds	<u>(73,538,972)</u>
Net State	4,123,555
B. Repairs to State-Owned Active Railroad Lines	984,000
C. Repairs to State-Owned Active Railroad Bridges	1,000,000
D. Coos County Rail Improvements*	900,000
E. Strafford and Carroll County Rail Improvements*	900,000
F. Public Transit Bus and Facility Matching Funds	907,460
Total state appropriation paragraph XVI	\$8,815,015

*The sums appropriated in subparagraphs D and E shall be a match to private funds of an equal amount.

The department of transportation shall report on the use of the appropriation and matching private funds to the capital budget overview committee in October and April for each year of the biennium.

XVII. Veterans Home

A. Heat Pump Equipment Replacements	1,170,000
Total state appropriation paragraph XVII	\$1,170,000
Total state appropriation section 1	\$114,026,961

2 Appropriation; Highway Funds; Department of Safety and Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety

A. Troop C Renovation, Highway Fund Portion	\$225,150
B. DMV Online Customer Portal	3,300,000
Less Other Funds*	<u>(3,300,000)</u>
Net State	0

Total state appropriation paragraph I \$225,150

*To provide funds for the appropriation made in subparagraph B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,300,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from funds deducted for the administration and collection costs of highway fund revenue under RSA 9:9-a.

II. Department of Transportation

A. Statewide Equipment 2020	10,000,000
B. Manchester 527 - Patrol Shed Addition/Renovation	2,100,000
C. Derry 528 - Brine System	185,000
D. Statewide - Life Safety Code Improvements	4,115,000
E. Statewide Salt Sheds	1,800,000
F. Lancaster District Office - Addition	760,000
G. Statewide Underground Fuel Tank Replacement	2,060,000
H. NHDOT Document Management Software	1,000,000
I. NHDOT Work Order System Phase 1	2,000,000

Total state appropriation paragraph II \$24,020,000

Total state appropriation section 2 \$24,245,150

3 Capital Projects; University System of New Hampshire.

I. The New Hampshire legislature recognizes the need for investment in university system of New Hampshire projects primarily to renovate and expand facilities. The sum of \$42,000,000 is hereby committed and appropriated to the university system of New Hampshire (USNH), effective July 1, 2020 but limited to the drawdown of funds as stated in this section. The appropriation is for the following capital projects:

- A. Spaulding Hall renovation and expansion (UNH);
- B. Hyde Hall Innovation and Entrepreneurship Center renovation (PSU); and
- C. Elliot Student Service Success Center renovation (KSC).

II. The university system board of trustees will determine the timing of the projects and the specific dollar allocation to each from the above sum available, while ensuring the respective campus priorities are addressed. The board of trustees shall report on the progress of the projects in paragraph I to the capital budget overview committee in October and April. The appropriation shall be nonlapsing and in addition to any other appropriation to the university system; provided, however, that the university system shall not receive actual cumulative payments from the state for such purposes of more than:

A. \$10,000,000 through the biennium ending June 30, 2021.

B. \$25,000,000 through the biennium ending June 30, 2023 (\$15,000,000 in new authorization for the biennium).

C. \$42,000,000 through the biennium ending June 30, 2025 (\$17,000,000 in new authorization for the biennium).

Amend the bill by replacing section 8 with the following:

8 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$156,034,111 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds are as follows: general fund \$124,026,961, highway fund \$24,245,150, and other funds \$7,762,000.

Amend the bill by replacing all after section 13 with the following:

14 Lapse of Prior Capital Balance; Capital Appropriations for Adjutant General, Administrative Services, Health and Human Services Projects.

I. The amount of \$1,773,026 is hereby lapsed from the unencumbered balances from the following state capital projects:

(a) The appropriation made to the department of administrative services in 2011, 253:1, II, B, 4 extended by 2013, 195:47, 9 extended by 2015, 220:23, 16 extended by 2017, 288:22, 28 for main building kitchen roof repair.

(b) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 1, extended by 2017, 228:22, 14 for Hills ave new roof.

(c) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 2, extended by 2017, 228:22, 15 for Monadnock mill - wall repair.

(d) The appropriation made to the department of administrative services in 2015, 220:1, II, C, 1, extended by 2017, 228:22, 24 for Brown building roof replacement.

(e) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 4 extended by 2017, 288:22, 17 for DOJ new roof.

(f) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 5 extended by 2017, 288:22, 18 for Monadnock mill elevator upgrade.

(g) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 6 extended by 2017, 288:22, 19 for materials and research HVAC upgrades.

(h) The appropriation made to the department of administrative services in 2015, 220:1, II, B, 11 extended by 2017, 288:22, 23 for DOJ and Philbrook elevator code issues.

(i) The appropriation made to the department of administrative services in 2015, 220:1, II, C, 2 extended by 2017, 288:22, 25 for Dolloff building, ADA restrooms and entryway.

(j) The appropriation made to the community college system in 2013, 195:1, XVIII, A extended by 2015, 220:23, 25 extended by 2017, 288:22, 35 for lump sum for capital projects.

(k) The appropriation made to the department of corrections in 2015, 220:1, IV, B extended by 2017, 288:22, 37 for warehouse roof.

(l) The appropriation made to the department of corrections in 2015, 220:22, II extended by 2017, 288:22, 39 for Hancock housing unit bathrooms.

(m) The appropriation made to the department of corrections in 2009, 145:1, IV, C as amended by 2013, 195:25, C, 2 for steam lines and injector at men's prison.

(n) The appropriation made to the department of environmental services in 2017, 228:1, VIII, D for cyanobacteria laboratory equipment.

(o) The appropriation made to the department of health and human services in 2013, 195:1, VII, G extended by 2015, 220:23, 58 extended by 2017, 288:22, 80 for food protection data system.

(p) The appropriation made to the department of health and human services in 2015, 220:1, VII, E extended by 2017, 288:22, 67 for SYSC administration building - restroom upgrades.

(q) The appropriation made to the department of natural and cultural resources in 2011, 253:1, XII, A for fire tower maintenance.

(r) The appropriation made to the department of natural and cultural resources in 2013, 195:1, XIII, F for fire tower repairs.

(s) The appropriation made to the police standards and training council in 2017, 228:1, XVII, A for replacement/repair driving training and parking lot.

(t) The appropriation made to the department of safety in 2017, 228:1, XX, B for state police specialty vehicle storage - design.

II. The sum of \$86,000 is hereby appropriated for the biennium ending June 30, 2021 to the adjutant general for environmental hazard remediation and land acquisition.

III. The sum of \$476,600 is hereby appropriated for the biennium ending June 30, 2021 to the department of administrative services for Bancroft Building stabilization.

IV. The sum of \$1,200,000 is hereby appropriated for the biennium ending June 30, 2021 to the department of health and human services for Glencliff Home Electrical System Enhancement.

V. To provide funds for the appropriation made in paragraphs II, III and IV, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,762,600 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

VI. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

15 Lapse of Prior Capital Balance; Highway Funds; Capital Appropriation for Department of Transportation Projects.

I. The amount of \$214,489 is hereby lapsed from the unencumbered balances from the following state capital projects:

(a) The appropriation made to the department of transportation in 2015, 220:2, III, G, extended by 2017, 228:22, 126 for Morton building-carpet replacement.

(b) The appropriation made to the department of transportation in 2013, 195:2, II, C extended by 2015, 220:23, 102, extended by 2017, 228:22, 130 for JOMB data center HVAC and UPS replacement.

(c) The appropriation made to the department of transportation in 2013, 195:2, II, E extended by 2015, 220:23, 104, extended by 2017, 228:22, 132 for new patrol shed ps528 Derry, design, engineering and construction.

(d) The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 253:28, 94 extended by 2013 195:47, 105 extended by 2015, 220:23, 117, extended by 2017, 228:22, 141 for replacement of automated fueling system-phase 2.

II. The sum of \$214,489 is hereby appropriated for the biennium ending June 30, 2021 to the department of transportation for statewide equipment.

III. To provide funds for the appropriation made in paragraph II the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$214,489 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the highway fund of the state.

IV. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

16 Project Purpose Amended; Liquor Commission. Amend 2017, 228:14, III to read as follows:

III. The sum of \$600,000 is hereby appropriated for the biennium ending June 30, 2019 to the liquor commissions for Concord headquarters roof replacement **and parking lot**. Said funds shall not lapse until June 30, 2019.

17 Project Purpose Amended; Liquor Commission. Amend 2015, 220:1, XI, A to read as follows:

A. Concord Warehouse **and Headquarters** Roof

Replacement	\$1,715,000
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Less Other Funds*	-1,715,000
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Net state appropriation subparagraph A	0
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18 Lapse Dates Extended to June 30, 2021. The following appropriations are hereby extended to June 30, 2021:

1. The appropriation made to the adjutant general in 2017, 228:1, I, A for Pembroke readiness ctr & state active duty annex.

2. The appropriation made to the adjutant general in 2017, 228:1, I, B for Concord readiness center.

3. The appropriation made to the adjutant general in 2017, 228:1, I, D for Concord anti-terrorism security improvements.

4. The appropriation made to the adjutant general in 2017, 228:1, I, E for Concord medical facility health improvements.

5. The appropriation made to the adjutant general in 2017, 228:1, I, J for archaeological study for phase 2 cemetery development.

6. The appropriation made to the adjutant general in 2015, 220:1, I, C extended by 2017, 228:22, 3 for construction of FMS - Seacoast area.

7. The appropriation made to the adjutant general in 2015, 220:1, I, D extended by 2017, 228:22, 4 for land for military construction.

8. The appropriation made to the adjutant general in 2015, 220:1, I, E extended by 2017, 228:22, 5 for readiness center design.

9. The appropriation made to the adjutant general in 2013, 195:1, I, A extended by 2015, 220:23, 1, extended by 2017, 228:22, 7 for unspecified minor military construction.

10. The appropriation made to the adjutant general in 2013, 195:1, I, D extended by 2015, 220:23, 3, extended by 2017, 228:22, 9 for federal property conv to readiness center and maintenance shop.

11. The appropriation made to the department of administrative services in 2017, 228:1, II, A, 1 for state-wide emergency funding.

12. The appropriation made to the department of administrative services in 2017, 228:1, II, A, 2 for state-wide energy efficiency improvements projects.

13. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 1 for DoIT - new computer room fire system.

14. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 2 for safety - roof replacement.

15. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 3 for Spaulding - roof replacement.

16. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 4 for state owned buildings - security upgrades.

17. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 5 for health and human services - security upgrades.

18. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 6 for Claremont - HVAC replacements and repairs.

19. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 7 for Walker building - roof modifications.

20. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 8 for state library parapet and ceiling repair.

21. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 10 for Concord steam project, heating of state-owned buildings.

22. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 1 for main bldg lodge roof replacement/brick/trim repairs.

23. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 2 for main bldg-north end ADA access & emergency egress.

24. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 3 for main bldg, Peasley wing roof replacement.

25. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 1 for convert AOC building to probate court.

26. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 3 for Milford circuit court - new courthouse.

27. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 4 for supreme court building - new roof, insulation, dome repair.

28. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 5 for Hampton circuit court - new courthouse.

29. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 6 for Portsmouth circuit court - new roof.

30. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 7 for Rochester circuit court - new roof.

31. The appropriation made to the department of administrative services in 2017, 228:1, II, E, 1 for ERP sustainability and advancement.

32. The appropriation made to the department of administrative services in 2017, 228:1, II, E, 2 for ERP scheduling and attendance.

33. The appropriation made to the department of administrative services in 2015, 220:1, II, A, 1, extended by 2017, 228:22, 12 for all state owned facilities - emergency repairs.

34. The appropriation made to the department of administrative services in 2015, 220:1, II, A, 2, extended by 2017, 228:22, 13 for statewide energy efficiency improvements.

35. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 7, extended by 2017, 228:22, 20 for all buildings burglar alarm replacement.

36. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 8, extended by 2017, 228:22, 21 for state house and Upham Walker house repairs.

37. The appropriation made to the department of administrative services in 2015, 220:1, II, D, 1, extended by 2017, 228:22, 26 for Merrimack county superior court - new courthouse.

38. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 extended by 2013 195:47, 13 extended by 2015, 220:23, 18, extended by 2017, 228:22, 29 for critical IT infrastructure.

39. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 extended by 2013 195:47, 14 extended by 2015, 220:23, 19, extended by 2017, 228:22, 30 for ERP phase 2 HR and payroll systems.

40. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 3 extended by 2011, 253:28, 21 as amended by 2013, 195:14, extended by 2013 195:47, 23, extended by 2015, 220:23, 24, extended by 2017, 228:22, 32 for main building bakery, raze buildings and create parking lot.

41. The appropriation made to the community college system in 2017, 228:1, III, A for critical maintenance and safety.

42. The appropriation made to the community college system in 2017, 228:1, III, C for industry pathway lab renovations.

43. The appropriation made to the community college system in 2015, 220:1, III, A, extended by 2017, 228:22, 33 for critical maintenance.

44. The appropriation made to the department of corrections in 2017, 228:1, IV, A for transitional work center - complete bathroom replace.

45. The appropriation made to the department of corrections in 2017, 228:1, IV, B for repair bathroom floors - med cust n & med cust 5.

46. The appropriation made to the department of corrections in 2017, 228:1, IV, C for elevator replacement.

47. The appropriation made to the department of corrections in 2017, 228:1, IV, D for SHU door control software (SHSP-men).

48. The appropriation made to the department of corrections in 2017, 228:1, IV, E for door replacement (NHSP-men).

49. The appropriation made to the department of corrections in 2017, 228:1, IV, F for electronic controls and security camera installation.

50. The appropriation made to the department of corrections in 2017, 228:1, IV, G for body alarm/man down system (NHSP-men).

51. The appropriation made to the department of corrections in 2015, 220:1, IV, A, extended by 2017, 228:22, 36 for new women's prison.

52. The appropriation made to the department of corrections in 2015, 220:19, II, extended by 2017, 228:22, 38 for repairs and renovations to the Calumet transitional housing units.

53. The appropriation made to the department of corrections in 2013, 195:1, IV, A extended by 2015, 220:23, 29, extended by 2017, 228:22, 40 for 224 bed women's prison and transitional housing facility.

54. The appropriation made to the department of education in 2017, 228:1, VI, A for renovation of Plymouth CTE center- state share.

55. The appropriation made to the department of education in 2017, 228:1, VI, B for renovation of Rochester CTE center- state share.

56. The appropriation made to the department of education in 2017, 228:1, VI, C for pre-engineering technology program.

57. The appropriation made to the department of education in 2015, 220:1, V, A, extended by 2017, 228:22, 43 for renovation CTE in Dover.

58. The appropriation made to the department of education in 2013, 195:1, V, A as amended by 2014, 237:2, extended by 2015, 220:23, 35, extended by 2017, 228:22, 45 for renovation of CTE center Dover-state share.

59. The appropriation made to the department of education in 2011, 253:1, IV, A for extended by 2013 195:47, 38 extended by 2015, 220:23, 37, extended by 2017, 228:22, 47 for pre-engineering tech career pathway.

60. The appropriation made to the office of strategic initiatives in 2017, 228:1, VII, A for fuel assistance program/weatherization assistance program.

61. The appropriation made to the department of environmental services in 2017, 228:1, VIII, A for dam repairs and reconstruction.

62. The appropriation made to the department of environmental services in 2017, 228:1, VIII, B for drinking water SRF state matching funds.

63. The appropriation made to the department of environmental services in 2017, 228:1, VIII, C for clean water SRF state matching funds.

64. The appropriation made to the department of environmental services in 2017, 228:1, VIII, F for hazardous waste superfund match.

65. The appropriation made to the department of environmental services in 2017, 228:1, VIII, G for construction & operations facility.

66. The appropriation made to the department of environmental services in 2017, 228:1, VIII, H for Ossipee Lake dam reconstruction.

67. The appropriation made to the department of environmental services in 2015, 220:1, VI, B, extended by 2017, 228:22, 50, for hazardous waste superfund state match.

68. The appropriation made to the department of environmental services in 2015, 220:1, VI, C, extended by 2017, 228:22, 51, for Suncook river infrastructure protection project.

69. The appropriation made to the department of environmental services in 2015, 220:1, VI, D, extended by 2017, 228:22, 52, for rehabilitation of natural resources conservation.

70. The appropriation made to the department of environmental services in 2015, 220:1, VI, F, extended by 2017, 228:22, 53, for permitting, environmental monitoring and flood forecasting.

71. The appropriation made to the department of environmental services in 2015, 220:1, VI, H, extended by 2017, 228:22, 55, for clean water SRF state match funds.

72. The appropriation made to the department of environmental services in 2011, 253:1, VI, E extended by 2013 195:47, 47 extended by 2015, 220:23, 48, extended by 2017, 228:22, 59, for WRBP infrastructure capital improvements.

73. The appropriation made to the department of environmental services in 2011, 253:1, VI, F extended by 2013 195:47, 48 extended by 2015, 220:23, 49, extended by 2017, 228:22, 60, for Suncook river infrastructure protection project.

74. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 extended by 2013, 195:47, 54 extended by 2015, 220:23, 51, extended by 2017, 228:22, 62 for hazardous waste superfund match.

75. The appropriation made to the fish and game department in 2017, 228:1, IX, A for headquarters building security.

76. The appropriation made to the fish and game department in 2017, 228:1, IX, B for hatchery infrastructure improvements.

77. The appropriation made to the department of health and human services in 2017, 228:1, X, A for MMIS technical stack upgrade.

78. The appropriation made to the department of health and human services in 2017, 228:1, X, B for Glencliff home dementia treatment improvement.

79. The appropriation made to the department of health and human services in 2017, 228:1, X, C for developmental services IT remediation plan.

80. The appropriation made to the department of health and human services in 2017, 228:1, X, D for Glencliff home fire road & travel rebuild.

81. The appropriation made to the department of health and human services in 2017, 228:1, X, E for New HEIGHTS & NH EASY gateway modernization.

82. The appropriation made to the department of health and human services in 2017, 228:1, X, F for DCYF central scanning unit.

83. The appropriation made to the department of health and human services in 2017, 228:1, X, G for NH hospital air handling system upgrades.

84. The appropriation made to the department of health and human services in 2017, 228:1, X, H for automated in-line mailing system.

85. The appropriation made to the department of health and human services in 2017, 228:1, X, I for Glencliff home LaMott wing window replacement.

86. The appropriation made to the department of health and human services in 2015, 220:1, VII, A, extended by 2017, 228:22, 63 for Glencliff home potable water system.

87. The appropriation made to the department of health and human services in 2015, 220:1, VII, B, extended by 2017, 228:22, 64 for campus security Glencliff.

88. The appropriation made to the department of health and human services in 2015, 220:1, VII, C, extended by 2017, 228:22, 65 for main access tunnel repair.

89. The appropriation made to the department of health and human services in 2015, 220:1, VII, D, extended by 2017, 228:22, 66 for replace roof over auditorium at Howard rec.

90. The appropriation made to the department of health and human services in 2015, 220:1, VII, F, extended by 2017, 228:22, 68 for chillers and associated components replacement.

91. The appropriation made to the department of health and human services in 2015, 220:1, VII, H, extended by 2017, 228:22, 70 for new HEIGHTS access front door.

92. The appropriation made to the department of health and human services in 2015, 220:1, VII, I, extended by 2017, 228:22, 71 for the department email project.

93. The appropriation made to the department of health and human services in 2015, 220:1, VII, J, extended by 2017, 228:22, 72 for NHH electronic health record pharmacy and scanning module.

94. The appropriation made to the department of health and human services in 2015, 220:1, VII, L, extended by 2017, 228:22, 74 for NHH renovation of existing space.

95. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, A extended by 2015, 220:23, 52, extended by 2017, 228:22, 75 for Glencliff fire and ADA code compliance.

96. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, B extended by 2015, 220:23, 53, extended by 2017, 228:22, 76 for APS security and safety upgrades.

97. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, E extended by 2015, 220:23, 56, extended by 2017, 228:22, 79 for new HEIGHTS incremental modernization.

98. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, I extended by 2015, 220:23, 60, extended by 2017, 228:22, 81 for Bridges modernization project.

99. The appropriation made to the department of health & human services in 2011, 253:1, VII, D extended by 2013 195:47, 60 extended by 2015, 220:23, 61, extended by 2017, 228:22, 82 as amended by 2018, 163:15, for APS repair/renovations-roof, windows and curtain wall, door replacements and upgrades.

100. The appropriation made to the department of health & human services in 2011, 253:1, VII, G extended by 2013 195:47, 62 extended by 2015, 220:23, 62, extended by 2017, 228:22, 83 for incremental renewal of new HEIGHTS.

101. The appropriation made to the department of health & human services in 2011, 253:1, VII, H 63, extended by 2015, 220:23, 63, extended by 2017, 228:22, 84 for electronic health records.

102. The appropriation made to the department of health & human services in 2011, 253:1, VII, L extended by 2013 195:47, 66 extended by 2015, 220:23, 66, extended by 2017, 228:22, 86 for replatform option application.

103. The appropriation made to the department of health & human services in 2011, 253:1, VII, Q extended by 2013 195:47, 70 extended by 2015, 220:23, 67, extended by 2017, 228:22, 87 for ACCESS front door release II.

104. The appropriation made to the department of health & human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 extended by 2013 195:47, 72 extended by 2015, 220:23, 69, extended by 2017, 228:22, 88 for strategic plan for legacy systems, 50-50 federal match.

105. The appropriation made to the department of information technology in 2017, 228:1, XII, A for cyber security program enhancement.

106. The appropriation made to the department of information technology in 2017, 228:1, XII, B for enterprise workflow/document mgmt (all - enterprise).

107. The appropriation made to the department of information technology in 2017, 228:1, XII, C for state-wide archiving assessment.

108. The appropriation made to the department of information technology in 2017, 228:1, XII, D for enterprise GIS alignment (all-enterprise).

109. The appropriation made to the department of information technology in 2015, 220:1, IX, A, extended by 2017, 228:22, 89 for enterprise projects including cyber security, upgrades and inter agency coordination.

110. The appropriation made to the department of information technology in 2015, 220:1, IX, C, extended by 2017, 228:22, 90 for enterprise collaboration solution.

111. The appropriation made to the department of information technology in 2013, 195:1, VIII, A extended by 2015, 220:23, 71, extended by 2017, 228:22, 91 for enterprise licensing solution.

112. The appropriation made to the department of information technology in 2013, 195:42, I extended by 2015, 220:23, 73, extended by 2017, 228:22, 93 for business one stop.

113. The appropriation made to the judicial branch in 2017, 228:1, XIII, A for New Hampshire e-court.

114. The appropriation made to the judicial branch in 2015, 220:1, X, A, extended by 2017, 228:22, 94 for New Hampshire e-court.

115. The appropriation made to the legislative branch in 2015, 220:21 as amended by 2017, 228:16, II, for state house complex building maintenance.

116. The appropriation made to the liquor commission in 2017, 228:1, XV, A for computer software - credit cards - POS.

117. The appropriation made to the liquor commission in 2017, 228:1, XV, B for new 20,000 SF liquor store- Portsmouth.

118. The appropriation made to the liquor commission in 2017, 228:1, XV, D for Hampton north & south new liquor stores.

119. The appropriation made to the liquor commission in 2017, 228:14, III, as amended by this act, for the Concord headquarters roof replacement and parking lot.

120. The appropriation made to the liquor commission in 2015, 220:1, XI, A, extended by 2017, 228:22, 96, as amended by this act, for Concord warehouse and headquarters roof replacement.

121. The appropriation made to the liquor commission in 2015, 220:14, XII, J, extended by 2017, 228:22, 99 for signage and branding upgrade.

122. The appropriation made to the liquor commission in 2013, 195:1, XII, G extended by 2015, 220:23, 82, extended by 2017, 228:22, 101 for computer software-credit card.

123. The appropriation made to the Pease development authority in 2017, 228:1, XVI, A for Piscataqua river turning basin.

124. The appropriation made to the Pease development authority in 2015, 220:1, XII, extended by 2017, 228:22, 102 for the Piscataqua river turning basin.

125. The appropriation made to the department of natural and cultural resources in 2017, 228:1, V, A for replacement of NH union catalog.

126. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, B for roofing & repair of DRED buildings statewide.

127. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, C for dams & retaining walls.

128. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, D for restorations at historic sites.

129. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, F for Mount Washington communication building study.

130. The appropriation made to the department of natural and cultural resources in 2015, 220:1, XIII, B, extended by 2017, 228:22, 104 for fire tower repairs - statewide.

131. The appropriation made to the department of revenue administration in 2017, 228:1, XIX, A for revenue information management system (RIMS).

132. The appropriation made to the department of safety in 2017, 228:1, XX, A for troop F renovation, general fund portion.

133. The appropriation made to the department of safety in 2017, 228:1, XX, C for state police records management system.

134. The appropriation made to the department of safety in 2017, 228:2, I, A for troop F renovation, highway fund portion.

135. The appropriation made to the department of safety in 2015, 220:2, II, C, extended by 2017, 228:22, 108 for radio interoperability project.

136. The appropriation made to the department of safety in 2015, 220:1, XIV, D, extended by 2017, 228:22, 109 for radio interoperability project.

137. The appropriation made to the department of safety in 2013, 195:2, I, A extended by 2015, 220:23, 93, extended by 2017, 228:22, 110 for radio interoperability infrastructure upgrade.

138. The appropriation made to the department of safety in 2013, 195:1, XIV, A extended by 2015, 220:23, 95, extended by 2017, 228:22, 111 for radio interoperability infrastructure upgrade.

139. The appropriation made to the department of safety in 2011, 253:1, XIII, A extended by 2013 195:47, 89 extended by 2015, 220:23, 96, extended by 2017, 228:22, 112 for e-911 next generation.

140. The appropriation made to the department of state 2017, 228:1, XXI, A for archives addition.

141. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, A for aeronautics, rail, and transit, public transit bus & facility matching funds.

142. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, B for repairs to granite arches in Westmoreland & Walpole.

143. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, E for eastern slope regional airport terminal/hangar building.

144. The appropriation made to the department of transportation in 2017, 228:2, II, A for Lisbon 114 - new patrol shed facilities.

145. The appropriation made to the department of transportation in 2017, 228:2, II, B for statewide- underground fuel tank replacement.

146. The appropriation made to the department of transportation in 2017, 228:2, II, C for statewide salt sheds.

147. The appropriation made to the department of transportation in 2017, 228:2, II, D for Manchester 527 addition to patrol shed.

148. The appropriation made to the department of transportation in 2017, 228:2, II, E for Dixville 103D new patrol shed facilities.

149. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 1, extended by 2017, 228:22, 116 for 5 percent match for federal aviation administration project.

150. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 2, extended by 2017, 228:22, 117 for repairs to state-owned railroad bridges.

151. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 3, extended by 2017, 228:22, 118 for public transit bus and facility matching funds.

152. The appropriation made to the department of transportation in 2015, 220:2, III, A, extended by 2017, 228:22, 120 for underground fuel tank replacement - statewide.

153. The appropriation made to the department of transportation in 2015, 220:2, III, B, extended by 2017, 228:22, 121 for oversize/overweight permit software.

154. The appropriation made to the department of transportation in 2015, 220:2, III, E, extended by 2017, 228:22, 124 for statewide salt sheds (3).

155. The appropriation made to the department of transportation in 2015, 220:2, III, F, extended by 2017, 228:22, 125 for welcome and information center capital improvement.

156. The appropriation made to the department of transportation in 2013, 195:XVI, A, 1 extended by 2015, 220:23, 106, extended by 2017, 228:22, 134 for 5 percent match for FAA projects.

157. The appropriation made to the department of transportation in 2011, 253:2, III, D extended by 2013 195:47, 99 extended by 2015, 220:23, 112, extended by 2017, 228:22, 138 for new patrol shed and salt storage-Salem.

158. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 extended by 2013 195:47, 110, extended by 2015, 220:23, 120, extended by 2017, 228:22, 142 for railroad acquisition right of first refusal rail match.

159. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28, XXXIII, and 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 extended by 2013 195:47, 111 extended by 2015, 220:23, 121, extended by 2017, 228:22, 143 for acquisition for railroad and airport properties.

160. The appropriation made to the New Hampshire veterans' home in 2017, 228:1, XXIII, A for LEDU building fire wall repairs.

161. The appropriation made to the New Hampshire veterans home in 2017, 228:1, XXIII, B for security infrastructure improvements.

162. The appropriation made to the New Hampshire veterans' home in 2015, 220:1, XVII, A, extended by 2017, 228:22, 144 for third floor addition to the LEDU building - vets home.

163. The appropriation made to the New Hampshire veterans' home in 2013, 195:1, XVII, A extended by 2015, 220:23, 122, extended by 2017, 228:22, 145 for equipment upgrades.

19 Effective Date.

I. Section 18 of this act shall take effect June 30, 2019.

II. The remainder of this act shall take effect July 1, 2019.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Cloutier spoke in favor.

Rep. Edwards requested a roll call; sufficiently seconded.

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BELKNAP

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Tilton, Franklin

Bean, Harry
Huot, David
Spanos, Peter
Varney, Peter

Comtois, Barbara
Jurius, Deanna
St. Clair, Charlie
Viens, Harry

Feeney, George
Plumer, John
Sylvia, Michael

CARROLL

Buco, Thomas
Cordelli, Glenn
Knirk, Jerry
Ticehurst, Susan

Burroughs, Anita
Crawford, Karel
MacDonald, John
Woodcock, Stephen

Butler, Edward
DesMarais, Edith
Marsh, William

Comeau, Ed
Kanzler, Harrison
Nelson, Bill

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Ames, Richard
Gomarlo, Jennie
Mann, John
Schapiro, Joe
Pearson, William

Berch, Paul
Harvey, Cathryn
Meador, David
Tatro, Bruce
Weber, Lucy

Bordenet, John
Hunt, John
O'Day, John
Thompson, Craig

COOS

Craig, Kevin
Laflamme, Larry
Tucker, Edith

Fothergill, John
Merner, Troy
Thomas, Yvonne

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Ladd, Rick
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
Gordon, Edward
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Hennessey, Erin
Migliore, Vincent Paul
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Josephson, Timothy
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Barry, Richard
Boehm, Ralph
Burns, Charles
Cleaver, Skip
Cote, David
DiSilvestro, Linda
Davis, Fred
Goley, Jeffrey

Alexander, Joe
Backus, Robert
Beaulieu, Jane
Bordy, William
Burt, John
Cohen, Bruce
Danielson, David
Dutzy, Sherry
Flanagan, Jack
Gould, Linda

Bouldin, Amanda
Balch, Chris
Bergeron, Paul
Bosman, James
Camarota, Linda
Connors, Erika
Dargie, Paul
Erf, Keith
Freitas, Mary
Graham, John

Bouldin, Andrew
Baroody, Benjamin
Bernet, Jennifer
Bouchard, Donald
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Espitia, Manny
Gagne, Larry
Greene, Bob

Griffith, Willis
 Heath, Mary
 Indruk, Greg
 King, Mark
 Ober, Lynne
 Mangipudi, Latha
 McLean, Mark
 Murphy, Nancy
 Nutting-Wong, Allison
 Petrigno, Peter
 Proulx, Mark
 Radhakrishnan, Julie
 Rung, Rosemarie
 Sofikitis, Catherine
 Lekas, Tony
 Ulery, Jordan
 Thomas, Wendy
 Williams, Kermit

Hall, Brett
 Herbert, Christopher
 Schmidt, Janice
 Klee, Patricia
 Lascelles, Richard
 Martin, Joelle
 Merlino, Timothy
 Notter, Jeanine
 O'Brien, Michael
 Piedra, Israel
 Query, Joshua
 Renzullo, Andrew
 Newman, Sue
 St. John, Michelle
 Smith, Timothy
 Vail, Suzanne
 Warden, Mark
 Woodbury, David

Hamer, Heidi
 Hinch, Richard
 Jack, Martin
 Komi, Richard
 Long, Patrick
 Marzullo, JP
 Mombourquette, Donna
 Nunez, Hershel
 Panasiti, Reed
 Plett, Fred
 Newman, Ray
 Rice, Kimberly
 Sanborn, Laurie
 Stack, Kathryn
 Telerski, Laura
 Van Houten, Constance
 Whittemore, James

Harriott-Gathright, Linda
 Hopper, Gary
 Judy, Jean
 L'Heureux, Robert
 Murray, Megan
 McGhee, Kat
 Mullen, Sue
 Nutter-Upham, Frances
 Pedersen, Michael
 Porter, Marjorie
 Ober, Russell
 Riel, Cole
 Snow, Kendall
 Stevens, Deb
 Toomey, Dan
 Vann, Ivy
 Wilhelm, Matthew

MERRIMACK

Allard, James
 Doherty, David
 Fox, Samantha
 Karrick, David
 Luneau, David
 McWilliams, Rebecca
 Pimentel, Roderick
 Schamberg, Thomas
 Soucy, Timothy
 Walsh, Thomas
 Wolf, Dan

Bartlett, Christy
 Ebel, Karen
 Fulweiler, Joyce
 Klose, John
 MacKay, James
 Moffett, Howard
 Richards, Beth
 Schuett, Dianne
 Testerman, Dave
 Walz, Mary Beth
 Woods, Gary

Buchanan, Ryan
 Ellison, Arthur
 Hill, Gregory
 Kotowski, Frank
 Marple, Richard
 Myler, Mel
 Rogers, Katherine
 Schultz, Kristina
 Turcotte, Alan
 Wazir, Safiya

Carson, Clyde
 Forsythe, Robert
 Horn, Werner
 Lane, Connie
 McGuire, Carol
 Pearl, Howard
 Saunderson, George
 Seaworth, Brian
 Wallner, Mary Jane
 Wells, Kenneth

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Bunker, Lisa
 Chirichiello, Brian
 Thomas, Douglas
 DiLorenzo, Charlotte
 Edwards, Jess
 Gay, Betty
 Grote, Jaci
 Hoelzel, Kathleen
 Murray, Kate
 Loughman, Tom
 Pearson, Mark
 McBeath, Rebecca
 Melvin, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Somssich, Peter
 Vallone, Mark
 Welch, David

Abrami, Patrick
 Barnes, Arthur
 Bushway, Patricia
 Coursin, David
 DeClercq, Edward
 Dolan, Tom
 Eisner, Mary
 Gilman, Julie
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 Love, David
 Maggiore, Jim
 McConnell, Liz
 Meuse, David
 Pantelakos, Laura
 Read, Ellen
 Spillane, James
 Wallace, Scott
 Weyler, Kenneth

Abramson, Max
 Berrien, Skip
 Cahill, Michael
 Cushing, Robert Renny
 Desilets, Joel
 Doucette, Fred
 Elliott, Robert
 Green, Dennis
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Lovejoy, Patricia
 Major, Norman
 McKinney, Betsy
 Milz, David
 Potucek, John
 Roy, Terry
 Sytek, John
 Ward, Gerald
 Yokela, Josh

Acton, Dennis
 Bershtein, Alan
 Cali-Pitts, Jacqueline
 Davis, Dan
 DeSimone, Debra
 Edgar, Michael
 Fowler, William
 Grossman, Gaby
 Hobson, Deborah
 Janvrin, Jason
 Le, Tamara
 Griffin, Mary
 Malloy, Dennis
 McMahon, Charles
 Owens, Becky
 Pratt, Kevin
 Pearson, Stephen
 True, Chris
 Warner, Anne

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Gourgue, Amanda
 Higgins, Peg
 Kenney, Cam
 Opderbecke, Linn
 Rich, Cecilia
 Sandler, Catt
 Vincent, Kenneth

Cannon, Gerri
 Fargo, Kristina
 Grassie, Chuck
 Horgan, James
 Kittredge, Mac
 Schmidt, Peter
 Rooney, Abigail
 Southworth, Thomas
 Wall, Janet

Chase, Wendy
 Fontneau, Timothy
 Harrington, Michael
 Horrigan, Timothy
 Levesque, Cassandra
 Perreault, Mona
 Beaudoin, Steven
 Towne, Matthew
 Wuelper, Kurt

Conley, Casey
 Frost, Sherry
 Hayward, Peter
 Keans, Sandra
 McNally, Jody
 Pitre, Joseph
 Salloway, Jeffrey
 Treleaven, Susan

SULLIVAN

Aron, Judy
 Lucas, Gates
 Rollins, Skip
 Tanner, Linda

Callum, John
 Merchant, Gary
 Stapleton, Walter

Cloutier, John
 O'Hearne, Andrew
 Smith, Steven

Laware, Thomas
 Oxenham, Lee
 Sullivan, Brian

**NAYS - 5
BELKNAP**

Howard, Raymond

HILLSBOROUGH

Fedolfi, Jim

Prout, Andrew

ROCKINGHAM

Costable, Michael

Torosian, Peter

and the majority committee report was adopted and ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Ley moved that **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures, be made a Special Order as the next order of business.

Motion adopted.

SPECIAL ORDER

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Jane Wallner for the Majority of Finance. This budget trailer addresses the needs of our municipalities in several ways. Revenue sharing that has not been funded since 2010 is funded at \$12.5 million in 2021, state aid grants for wastewater treatment plants are funded for 28 communities at \$5.7 million for the biennium, \$5 million has been added in FY 2020 for affordable housing, the Coos County job creation tax credit program has been extended by five years and a \$1 million revolving fund has been set up to aid cash-strapped municipalities in applying for Community Development grants. A Farm Conservation account funded with \$750,000, that is eligible for matching funds, will help our communities preserve open farm land. This budget maintains the business tax rates at current levels, repealing future cuts to the BET and BPT, thus providing \$90 million of additional revenue. The health and welfare of our citizens is strengthened by the inclusion of a Family and Medical Leave (FML) plan that covers all private employees who are not currently covered by a private FML plan. The regulations and licensure of e-cigarettes begins in year one and taxation on e-cigarettes begins in year two. To meet the educational needs of New Hampshire school districts the majority of the committee supported restoring the Education Trust Fund. In this budget schools will receive stabilization grants in FY 2020. In FY 2021 Fiscal Capacity Disparity Aid (an additional funding stream that is dependent on the property wealth of a community) and additional Free and Reduced Lunch Aid (additional funding for communities with high concentrations of poverty) commence. The majority of the committee recognizes that this is an intermediate step to address funding adequacy. The bill also authorizes a commission to develop a new adequacy funding formula. Full-time kindergarten students in local public schools and charter schools will be counted the same as students in grades 1-12 and Keno revenue will continue to be put into the Education Trust Fund. Full funding of Special Education Aid, transportation and Building Aid will also be paid for from the Education Trust Fund. Proceeds from the revenue generated by the extension of the Interest and Dividends Tax to capital gains will also be accounted for in the Education Trust Fund. This bill also provides for an additional \$14.5 million for the construction and renovation of critically needed mental health beds and designated receiving facility beds and rate increases. In addition, it addresses the state's emergency room boarding crisis as well as the need to shift our children out of NH Hospital and starts the planning process to move our civilly-committed patients out of the state prison. A pilot program for preventive dental care for Medicaid recipients is included for 2021. The specialized medical evaluation program for NH's children who have experienced abuse and neglect, created in HB 521 which was passed by the full House, is also incorporated. Vote 13-9.

Rep. Kenneth Weyler for the Minority of Finance. This bill contains the enabling legislation to make the numbers in the budget work. It may reorganize departments or create new projects. It came to us late and was very voluminous. This bill usually sees many changes in the House and in the Senate before it is finalized. We know that a one-time increase in revenue should not be used to grow government but should be used on one-time projects. But the committee removed most of the one-time projects and took steps that will be unsustainable. One example was the big increase in the TANF welfare budget. The department has kept a surplus for years for a possible recession event. This proposal uses up that surplus in good times leaving a deficit in the future, which the federal government will not support. The minority believes the Senate bill that replaced the Governor's proposed Family Medical Leave Insurance (FMLI) law is unsustainable and is a mandate versus a voluntary program. The replacement FMLI is going to lead to an income tax because it leads to an unsustainable state debt. Putting \$500,000 into an education study commission is unprecedented and wasteful. Last year we had 20 meetings of an educational study commission where all were invited for input. The commission heard from many experts both from within state and without. The commission's results were discarded, just as many commissions' results have been in the past. Some of the revenue enhancements

in this bill were retained by the Ways and Means Committee due to uncertainties, yet this bill adds \$300 million to the original. That is unlikely to materialize. This proposal reduces the Rainy Day Fund even though these are the “good times” when it should be increased.

Majority Amendment (1403h)

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

1 Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department of information technology for fiscal year 2019, is repealed.

2 Department of Administrative Services; Debarment of Vendors. Amend the introductory paragraph of RSA 21-I:11-c, I to read as follows:

I.(a) No individual or business entity shall ~~[make a bid, proposal, or quotation in response to a request for]~~ **be awarded a** bid, proposal, or quotation issued by the division of procurement and support services if that individual or entity, or any of its subsidiaries, affiliates, or principal officers:

3 Department of Administrative Services; Debarment of Vendors; Statement. Amend RSA 21-I:11-c, I(b) to read as follows:

(b) All individuals or business entities submitting a bid, proposal, or quotation in response to a request for a bid, proposal, or quotation issued by the division of procurement and support services shall, as part of their response, provide ~~[an affidavit signed under oath before a duly authorized notary public]~~ **a statement signed under penalty of unsworn falsification as set forth in RSA 641:3** that all conditions listed in subparagraphs (a)(1)-(10) have been met. Failure to submit such ~~[an affidavit or, should the affidavit be false or signed]~~ **a statement, the filing of a false statement, or the signing of the statement** by an unauthorized person, **shall be reason for** the bid, proposal, or quotation ~~[shall]~~ **to be** ~~[automatically]~~ rejected and the resulting contract, if any, shall be deemed to be in breach. The commissioner of the department of administrative services shall adopt rules under RSA 541-A relative to the ~~[affidavit]~~ **statement** required under this subparagraph.

4 Department of Administrative Services; Divisions. Amend the section heading of RSA 21-I:11 to read as follows:

21-I:11 ~~[Division]~~ **Divisions of Procurement and Support Services, Public Works Design and Construction, and Plant and Property** ~~[Management]~~.

5 Department of Administrative Services; Director of Plant and Property. Amend the introductory paragraph of RSA 21-I:11, I(c) to read as follows:

(c) The division of plant and property, which shall be under the supervision of ~~[a classified administrator who]~~ **an unclassified director of plant and property who shall be qualified to hold that position by reason of education and experience and shall perform such duties as the commissioner from time to time may authorize. The director of plant and property** shall be responsible for the following functions, in accordance with applicable law:

6 Director of Plant and Property; Salary; Funding; Effective Date.

I. The salary of the director of plant and property shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of plant and property, position number 10082 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of director of plant and property. Funding shall be transferred into a new expenditure class number 11, within accounting unit 01-14-14-141510-1440. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of director of plant and property.

II. The amendment to RSA 21-I:11, I(c) by section 5 of this act shall take effect upon the abolition of position number 10082 under paragraph I, as certified by the commissioner of administrative services to the secretary of state and the director of legislative services.

7 Department of Administrative Services; Directors; Officers. Amend RSA 21-I:2, II to read as follows:

II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each unclassified division director, the assistant commissioner, the deputy commissioner, the internal auditor, the **director of** financial data ~~[manager]~~ **management**, the ~~[manager]~~ **director of [risks] risk** and benefits, and the senior operational analyst. The unclassified division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the **director of** financial data ~~[manager]~~ **management**, the ~~[manager]~~ **director of [risks] risk** and benefits, and the senior operational analyst shall each serve for a term of 4 years.

8 Department of Administrative Services; Office of the Commissioner. RSA 21-I:4 is repealed and reenacted to read as follows:

21-I:4 Office Established. There is hereby established an office of the commissioner consisting of the following units:

I. State budget.

II. Internal audit.

III. Operational analysis.

IV. Cost containment.

9 Division of Financial Data Management. Amend RSA 21-I:5 to read as follows:

21-I:5 **Division of** Financial Data Management [~~Unit~~]. There is hereby established within the [~~office of the commissioner~~] **department a division of** financial data management [~~unit~~] under the supervision of an unclassified **director of** financial data [~~manager~~] **management** who shall be responsible for the following functions in accordance with applicable laws:

I. Providing coordination of all internal department financial information in order to assure the compatibility, continuity and integrity of such information.

II. Assisting the commissioner with the planning, management and operation of all internal department financial information systems.

III. Carrying on a continuing analytical research and planning program in the field of governmental financial management in order to provide for the most effective and efficient information management systems possible.

IV. Accomplishing data entry and control of information for all internal department financial systems, and preparing and distributing reports generated from those systems.

V. Assisting department division directors by:

(a) Establishing and operating a financial information resource center for their use.

(b) Jointly monitoring state and federal fiscal legislation with the directors in order to assure timely awareness of and compliance with new legislation.

VI. Assisting users of information and financial systems which are the responsibility of the **division of** financial data management [~~unit~~].

10 Department of Administrative Services; Division of Risk and Benefits. Amend RSA 21-I:7-c to read as follows:

21-I:7-c Risk [~~Management~~] **and Benefits**. There is established within the [~~office of the commissioner of administrative services a~~] **department a division of** risk [~~management unit~~] **and benefits**, under the supervision of an unclassified [~~manager of risks~~] **director of risk** and benefits, who shall be qualified to hold that position by reason of education and experience, and who shall perform such duties as the commissioner from time to time may authorize. The functions of the **division of** risk [~~management unit~~] **and benefits** shall be divided across the following bureaus:

I. The bureau of health and benefits, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Overseeing and administering the state employee and retiree group insurance programs authorized by RSA 21-I:26 through RSA 21-I:36, in accordance with administrative rules adopted pursuant to RSA 21-I:14, XIII.

(b) Coordinating the employee and retiree benefit programs administered through the **division of** risk [~~management unit~~] **and benefits** with the benefits and programs offered through the New Hampshire retirement system and the state's deferred compensation commission established in RSA 101-B.

(c) Overseeing and administering all additional employee or retiree benefit programs offered by the state, other than those related to the New Hampshire retirement system or the state's deferred compensation commission established in RSA 101-B.

(d) Conducting ongoing studies of alternative financing methods and benefit offerings.

(e) To the extent deemed necessary by the [~~manager of risks~~] **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions, including but not limited to procedures relating to employee and retiree benefits.

(f) Developing and monitoring insurance and third party administrator contracts related to the state employee and retiree group insurance program in accordance with applicable law, by:

(1) Developing bid specifications for insurance and third party administrator contracts and ensuring bid specifications are in compliance with applicable collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process.

(3) Formalizing contract agreements.

(4) Monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(5) Ensuring that vendors comply with the requirements of contract agreements by:

(A) Implementing, monitoring, and enforcing performance guarantees.

(B) Receiving and analyzing state employee and retiree group insurance utilization data and statistics.

(C) Monitoring Medicare issues to ensure compliance with federal law and programs.

(g) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(h) Implementing, overseeing, and administering employee wellness initiatives.

(i) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, the state retiree health plan commission established in RSA 100-A:56, the joint legislative fiscal committee established in RSA 14:30-a, and other entities regarding employee and retiree benefits program.

(j) Ensuring that the bureau's programs are compliant with applicable state and federal law.

(k) Monitoring agencies' activities for compliance with benefit program requirements.

II. The bureau of property, casualty, and workers' compensation, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Overseeing and administering the state's workers' compensation program under RSA 21-I:24 and RSA 21-I:25-a or other applicable law.

(b) Identifying loss exposure for all state real and personal property and for personal injury, except as otherwise provided by law, on a continuing basis.

(c) Identifying cost-effective means for protecting against various types of losses, including self-funding, commercial insurance purchases, and risk assumption, and recommending to the ~~[manager of risks]~~ **director of risk** and benefits actions to be taken through the budget process, or other processes, to implement such means.

(d) After consultation with, and approval by the ~~[manager of risks]~~ **director of risk** and benefits, purchasing liability insurance under a fleet policy covering the operation of state-owned vehicles and motor-boats, and such other insurance and surety bonds as any state department, agency, or official may be legally authorized to secure, or required to furnish; provided that approval shall not be granted for any such insurance or surety bonds unless the same have been marketed and procured through a resident agent of an insurance company registered and licensed to do business in this state. With the exception of any risk located outside the state, no such insurance company or resident agent, personally or by another, shall allow, give, or pay, directly or indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

(e) Conducting ongoing studies of alternative financing methods and benefit offerings.

(f) Overseeing the state employee workers' compensation and commercial insurance programs, by:

(1) Preparing bid specifications for commercial insurance and third party administrator contracts related to workers' compensation and commercial insurance in accordance with applicable law, and ensuring bid specifications are in compliance with collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process, formalizing contract agreements, and monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(3) Managing claims payments and statistical data related to workers' compensation and commercial insurance and ensuring vendors comply with the requirements of contract agreements.

(4) Coordinating and developing processes and procedures related to the workers' compensation and commercial insurance programs.

(5) Monitoring agencies' workers' compensation and commercial insurance activities for compliance with requirements.

(g) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual or manuals that clearly explains procedures related to the bureau's functions.

(h) Evaluating risks facing the state and developing and operating health, safety, loss control, and risk reduction programs, in accordance with loss prevention guidelines adopted pursuant to RSA 21-I:14, II.

(i) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(j) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.

(k) Ensuring that the bureau's programs are compliant with applicable state and federal law.

III. The bureau of finance, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Managing claims payments, vendor payments, statistical data, and financial reporting related to the risk management unit's responsibilities.

(b) Conducting ongoing studies of alternative financing methods and benefit offerings.

(c) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions.

(d) Establishing working rate tables for application to self-insured health benefit programs, including by coordinating and reviewing actuarial projections, considering rate alternatives and modeling, and developing full working rate tables.

(e) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(f) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.

(g) Ensuring that the bureau's programs are compliant with applicable state and federal law.

(h) Monitoring agencies' financial activities for compliance with financial requirements of the state's health benefit program.

11 Department of Administrative Services; Reference Changed. Amend RSA 21-I:24, I to read as follows:

I. The commissioner of administrative services, through the department's **division of risk** ~~[management unit]~~ **and benefits**, is hereby authorized to pay such sum or sums as may be awarded under the provisions of RSA 281-A, and the expense of insurance and third party administrator services providing managed care programs authorized by RSA 281-A:23-a and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.

12 Department of Administrative Services; Reference Changed. Amend RSA 21-I:25-a, to read as follows:

21-I:25-a Procurement of Managed Care and Other Risk-Shifting Services. By following the procedures of RSA 21-I:28, the commissioner of administrative services, through the department's **division of risk** ~~[management unit]~~ **and benefits**, and after consultation with the governor and council, may contract for or purchase insurance or third party administrator services providing managed care program services and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.

13 Department of Administrative Services; References Changed. Amend RSA 21-I:30-f to read as follows:

21-I:30-f Administrative Cost of Certain Programs Administered by the **Division of Risk** ~~[Management Unit]~~ **and Benefits**; Obligation of Employee. The **division of risk** ~~[management unit]~~ **and benefits** may use moneys in the employee benefit adjustment account, established under RSA 9:17-c, for the purposes of paying the administrative fees for the dependent care assistance program established under RSA 21-I:44-a and the medical and related expenses program established under RSA 21-I:44-b. The **division of risk** ~~[management unit]~~ **and benefits** may also use such moneys in the event money must be paid to the contracting party in advance to cover the employee's medical expenses, when the employee has not contributed all of such costs from payroll deductions, provided that the employee benefit adjustment account shall be repaid when the employee fulfills his or her obligation.

14 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-a, to read as follows:

21-I:44-a Dependent Care Assistance Program Established. There is established a dependent care assistance program to be administered by the **division of risk** ~~[management unit]~~ **and benefits** of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before taxes, for the purpose of day care expenses.

15 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-b, to read as follows:

21-I:44-b Medical and Related Expenses Program Established. There is established a medical related expenses program to be administered by the **division of risk** ~~[management unit]~~ **and benefits** of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before taxes, for the purpose of medical expenses.

16 State Agency Insurance; Reference Changed. Amend RSA 9:27 to read as follows:

9:27 Insurance.

[F.] Any agency or department of the state may, with the approval of the governor and council and within the limits of its appropriation, secure casualty or liability insurance on any property owned by the state or in connection with any program or activity of the state; provided, however, that all such purchases shall first be reviewed and approved by the **division of risk** ~~[management unit]~~ **and benefits** of the department of administrative services and that any insurance specifically required by law shall be carried.

[H. All casualty or liability insurance secured by an agency or department and in effect on July 1, 2017, shall be reported to the risk management unit by September 1, 2017.]

17 Health and Human Services; Reference Changed. Amend RSA 161:4, III to read as follows:

III. Liability Insurance. The commissioner of the department of health and human services or designee shall have the authority, after consultation with the insurance department and the **division of risk** ~~[management unit]~~ **and benefits**, and in accordance with the procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase personal liability coverage for individuals providing care to adults receiving assistance from the department of health and human services who reside in certified residential care facilities. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.

18 Services for Youth and Families; Reference Changed. Amend RSA 170-G:3, VI to read as follows:

VI. The commissioner shall have authority, after consultation with the insurance department and the **division of risk** ~~[management unit]~~ **and benefits**, and in accordance with the procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase insurance coverage for the benefit of individuals providing foster care to children within the jurisdiction of the department. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.

19 Services for Youth and Families; References Changed. Amend RSA 170-G:3, VII(b) and (c) to read as follows:

(b) No payment shall be made under subparagraph (a)(1) or (2) unless the department investigates the claim and the commissioner, or the commissioner's designee, recommends to the **division of risk** ~~[management unit]~~ **and benefits** that the claim, or some portion of the claim, be paid. If the **division of risk** ~~[management unit]~~ **and benefits** determines that the claim meets the requirements of this paragraph and is reasonable in amount, the commissioner of administrative services, or the commissioner's designee, shall authorize such payment.

(c) No payment shall be made under subparagraph (a)(3) unless the department investigates the claim and the commissioner, or the commissioner's designee determines the foster parent did not act intentionally, willfully or recklessly, and recommends to the **division of risk** ~~[management unit]~~ **and benefits** that the claim, or some portion of the claim, be paid. If the **division of risk** ~~[management unit]~~ **and benefits** determines that the claim meets the requirements of this subparagraph, the attorney general shall be notified and shall select a qualified attorney to provide legal representation and defense to the claimant subject to the dollar limitations of subparagraph (a)(3), the recommendations of the **division of risk** ~~[management unit]~~ **and benefits**, and the attorney general's own experience and expertise. The commissioner of administrative services, or the commissioner's designee, shall authorize payment of such amounts as are approved by the attorney general.

20 University System; References Changed. Amend RSA 187-A:43, VI-VII, to read as follows:

VI. Cost analysis, including costs associated with the **division of risk** ~~[management unit]~~ **and benefits** staff, shall be paid for by the university system. The university system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of university system changes, including staff costs.

VII. The university system shall provide to the **division of risk** ~~[management unit]~~ **and benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.

21 Community College System; References Changed. Amend RSA 188-F:68, VI-VII, to read as follows:

VI. Cost analysis, including costs associated with the **division of risk** ~~[management unit]~~ **and benefits** staff, shall be paid for by the community college system. The community college system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of system changes, including staff costs.

VII. The community college system shall provide to the **division of risk** ~~[management unit]~~ **and benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.

22 Board of Claims; Reference Changed. Amend RSA 541-B:11-A to read as follows:

541-B:11-a Annual Report. The secretary of state shall provide annually to the **division of risk** ~~[management unit]~~ **and benefits** a copy of the annual report for the board.

23 Salaries; Unclassified State Officers. Amend the following positions in RSA 94:1-a, I(b), salary grade HH, to read as follows:

HH Department of administrative services ~~[manager of risks]~~ **director of risk** and benefits

HH Department of administrative services **director of financial data** ~~[manager]~~ **management**

24 Department of Administrative Services; Intent of Amendment of Risk Management Unit; Continuation of Operations. The amendment to the title of the risk management unit to the division of risk and benefits is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of risk and benefits shall perform all duties previously performed by the risk management unit and the director of the division of risk and benefits shall perform all duties and functions previously performed by the manager of risks. Any and all documents entered into by the risk management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and shall be deemed to be the action of, the division of risk and benefits.

25 Department of Administrative Services; Intent of Amendment of Title of the Manager of Risks; Continuation of Salary and Functions. The unclassified employee serving as the manager of risks prior to the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division

of risk and benefits for the remainder of his or her existing term as the manager of risks and benefits. The salary of the director of the division of risk and benefits shall be that allocated in RSA 94:1-a, I(b) to the manager of risks and benefits.

26 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Risk Management. All provisions of law that remain in effect and refer to the department of administrative services' risk management unit shall be construed so as to apply to the division of risk and benefits. All powers, duties, and obligations of the risk management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of risk and benefits and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former risk management unit and its subunits. The department of administrative services may make such changes to the accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.

27 Department of Administrative Services; Intent of Amendment of Financial Data Management Unit; Continuation of Operations. The alteration of the title of the financial data management unit to the division of financial data management is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of financial data management shall perform all duties previously performed by the financial data management unit and the director of the division of financial data management shall perform all duties and function previously performed by the financial data manager. Any and all documents entered into by the financial data management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and be deemed to be the action of, the division of financial data management.

28 Department of Administrative Services; Intent of Amendment of Title of the Financial Data Manager; Continuation of Salary and Functions. The unclassified employee serving as the financial data manager as of the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division of financial data management for the remainder of his or her existing term as the financial data manager. The salary of the director of the division of financial data management shall be that allocated in RSA 94:1-a, I(b) to the financial data manager.

29 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Financial Data Management. All provisions of law that remain in effect and refer to the department of administrative services' financial data management unit shall be construed so as to apply to the division of financial data management. All powers, duties, and obligations of the financial data management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of financial data management and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former financial data management unit and its subunits. The department of administrative services may make such changes to the accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.

30 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

I. Notwithstanding any law or administrative rule to the contrary, the commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services from any other agency necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll and business processing functions within state government. Such business processing functions shall include:

- (a) Accounts receivable;
- (b) Accounts payable;
- (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and
- (d) Such additional finance, accounting and other functions and transactions that the commissioner of administrative services determines may potentially achieve substantial efficiencies from consolidation.

II. The commissioner of administrative services may establish the number of total personnel required for human resources, payroll, and business processing functions in the executive branch of state government and, with the prior approval of the governor and council, may eliminate unnecessary positions and may transfer positions to or from the department of administrative services to or from any other agency if the commissioner of administrative services concludes that such transfers or eliminations are necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions within state government. Such transfers may, if deemed appropriate by the commissioner of administrative services, include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and may, if deemed appropriate by the commissioner of administrative services, include the transfer of any unexpended appropriations for any of the

foregoing, and any unexpended appropriations for salary, payroll, benefits, support costs, or any other costs associated with the transferred personnel. The department of administrative services may also establish new full-time temporary positions within the department, if the commissioner of administrative services deems it necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions.

III. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation or deconsolidation of functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation or deconsolidation of functions.

IV. If the commissioner of administrative services consolidates, deconsolidates or, pursuant to 2015, 276:2 or other law, has consolidated or deconsolidated, any human resources, payroll, or business processing function and subsequently determines that such consolidation or deconsolidation is not cost effective or beneficial to the interests of the state, the commissioner may, with the prior approval of the fiscal committee of the general court, deconsolidate or reconsolidate, fully or partially, any human resources, payroll, or business processing function within the executive branch of state government. As part of a deconsolidation, the commissioner, after consultation with the heads of such executive branch agencies as may be affected, shall determine positions to be transferred to another agency, shall determine positions to be transferred elsewhere within the department of administrative services, or shall determine positions to be eliminated.

V. Any unspent balance remaining of the \$250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2021. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.

31 Department of Administrative Services; State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

32 Department of Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.

33 All Agencies; Administrative Services; Electronic Mail. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of mail.

34 Department of Administrative Services; Heating Systems Savings. Amend RSA 21-I:19-ff to read as follows:

21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and appropriated to the department of administrative services for the biennium ending June 30, 2019, **the biennium ending June 30, 2021**, and the fiscal year ending [2020] **June 30, 2022** and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.

35 State Heating System Facilities. Any unspent balance remaining on the \$18,000,000 appropriation made by 2017, 2 to the department of administrative services for the fiscal year ending June 30, 2017, for the purpose of the purchase and replacement of all systems providing heat to state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord that were obtaining steam from Concord Steam corporation, as well as the decommissioning of the steam plant located at 105 Pleasant Street in Concord, including but not limited to system design, construction, hazardous material remediation, and project administration and management, as required, shall not lapse until June 30, 2020. As indicated

in 2017, 2, this project shall be managed by the division of public works design and construction and funds may be expended to fund any temporary personnel for the purpose of project administration, management, or clerk of the works. The commissioner of the department of administrative services is also authorized to employ a classified, full-time, permanent project manager in the division of public works design and construction, whose initial salary and benefit cost shall be from funds appropriated pursuant to 2017, 2. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated, and said funds shall not lapse until June 30, 2020.

36 Department of Administrative Services; Funding and Staffing Resource Limitations.

I. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the obligations or requirements under RSA 21-I:7-c as it applies to addressing performance and financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding management of the employee and retiree health benefit program, including establishing rules and operational policies for the program, for each fiscal year of the biennium ending June 30, 2021.

II. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2021:

(a) The provisions relating to identification and implementation of energy efficiency projects in compliance with the governor's executive order 2016-03.

(b) The provisions relating to data analysis and the development of performance metrics for buildings and vehicles to monitor energy and water usage, use of fossil fuels, and greenhouse gas emissions in compliance with governor's executive order 2016-03.

37 Department of Administrative Services; Establishment of Additional Surplus Fund. Amend RSA 21-I:11, I, (a)(6)(B) to read as follows:

(B) Be maintained by the treasurer [as a] **in one of 2** separate, restricted [fund] **funds:**

(i) The surplus distribution section administrative assessments fund, into which shall be deposited funds received by the department by virtue of the disposition of surplus property; and

(ii) The federal surplus food fund, into which shall be deposited funds received by the department by virtue of the disposition of federal surplus food.

38 Surplus Distribution Accounts. Amend RSA 6:12, I(b)(92) to read as follows:

(92) Moneys deposited in the 2 surplus [~~distribution section administrative assessments fund~~] **funds** under RSA 21-I:11, I(a)(6)(B):

(A) The surplus distribution section administrative assessments fund; and

(B) The federal surplus food fund.

39 Department of Administrative Services; Fund Restrictions. Amend the introductory paragraph of RSA 21-I:11-a, I to read as follows:

I. Expenditures from the funds established by RSA 21-I:11, I(a)(6)(B), shall be restricted to defraying the following costs **of the respective programs** incurred as a result of transferring donated commodities or surpluses from the consignee point of delivery or point of origin to the ultimate point of consumption:

40 New Section; Department of Administrative Services; Building Maintenance Fund. Amend RSA 21-I by inserting after section 11-c the following new section:

21-I:11-d Building Maintenance Fund. Each agency or branch for which the department of administrative services is charged with providing building maintenance services pursuant to RSA 21-I:11, I(c), RSA 21-I:12, II(c), or other law, shall pay to the department an annual assessment of 50 cents per square foot of such space which the agency or branch occupies. The department of administrative services may make transfers from appropriate agency accounts to address such assessments. Collected amounts shall be deposited in the building maintenance fund, which shall be nonlapsing and appropriated to the department of administrative services for the purposes of covering costs associated with continuing maintenance of buildings, space, and other property which it is charged with maintaining.

41 New Subparagraph; Application of Receipts; Building Maintenance Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the building maintenance fund established under RSA 21-I:11-d.

42 Judicial Appointments; Number Limited; Conversion Suspended.

I. For the biennium ending June 30, 2021, the number of judges serving on the superior court shall not exceed 22 and the number of full-time judges serving on the circuit court shall not exceed 35.

II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, is hereby suspended for the biennium ending June 30, 2021.

43 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2021, the supreme court may transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to

changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee of the general court shall be required for transfers of \$100,000 or more.

44 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, 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 may transfer funding in these classes within and among all accounting units provided that any transfer shall require prior approval of the fiscal committee of the general court and governor and council. The provisions of this paragraph shall remain in effect for the biennium ending June 30, 2021.

45 New Section; Cost of Care Reimbursement Account Established. Amend RSA 622 by inserting after section 58 the following new section:

622:58-a Cost of Care Reimbursement Fund Established. There is established the cost of care reimbursement fund, which shall be administered by the commissioner of the department of corrections. This fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of the general care of those persons under departmental control and upkeep of the prison facilities including equipment. The commissioner shall deposit all funds received from the department of justice as specified in RSA 622:58 into this fund.

46 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the cost of care reimbursement fund under RSA 622:58-a.

47 Department of Corrections; Cost of Care Reimbursement Moneys. Amend RSA 622:58 to read as follows:

622:58 Deposit of Recovered Moneys. All moneys recovered under this subdivision shall be deposited in the ~~general fund~~ **cost of care reimbursement fund under RSA 622:58-a.**

48 Repeal. RSA 622:7-b, relative to victim's fund, is repealed.

49 Application of Receipts; Victims' Fund. Amend RSA 6:12, I(b)(23) to read as follows:

(23) The assessments collected under RSA 106-L:10 and 651:63, V ~~[and the surcharges on state commissary purchases under RSA 622:7-b designated for the victims' assistance fund which]~~ shall be credited to the victims' assistance fund until that fund exceeds \$900,000, at which time moneys in excess of \$900,000 shall be credited to the general fund.

50 Department of Corrections; Unclassified Position Established; Director of Nursing.

I. The unclassified position of director of nursing is hereby established in the department of corrections and shall be qualified for that position by reason of education and experience and shall be nominated by the commissioner of the department of corrections for the appointment by the governor and the executive council, who shall serve at the pleasure of the commissioner. The director of nursing shall oversee the uniform integration of nursing practice and care into the comprehensive medical and behavioral health system operated by the department of corrections as well as ensuring adherence of nurses to nursing practice laws, rules, standards, and policies. This position shall also establish an organizational reporting structure to ensure that all nurses receive adequate and appropriate supervision. Direct reports shall include the assistant nursing director and all nurse coordinators.

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

III. Upon completion of this action and appointment of the position identified in paragraph I, classified position #16287 shall be abolished to allow for the transition of this classified position with its available appropriations into the new unclassified position. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified director of nursing position.

51 Department of Corrections; Unclassified Positions Established.

I. The following positions are hereby established in the department of corrections and shall be qualified for the position by reason of education and experience and shall be nominated by the commissioner of corrections for appointment by the governor and council, who shall serve at the pleasure of the commissioner. The chief pharmacist shall oversee the pharmacy unit and supervise the pharmacist I-IV as well as perform such duties that the commissioner from time to time may authorize:

- (a) Department of corrections, chief pharmacist.
- (b) Department of corrections, pharmacist I.
- (c) Department of corrections, pharmacist II.
- (d) Department of corrections, pharmacist III.
- (e) Department of corrections, pharmacist IV.

II. 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.

III. Upon completion of this action and 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 02-46-46-465010-8236. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's nomination for the unclassified positions:

- (a) Chief pharmacist #19851.
- (b) Pharmacist #12997.
- (c) Pharmacist #19553.
- (d) Pharmacist #19848.
- (e) Pharmacist #16290.

52 State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:

I. There is hereby created a commission to be known as the New Hampshire commission for human rights, ***which shall be administratively attached to the department of justice pursuant to RSA 21-G:10.*** Such commission shall consist of 7 members, who shall be appointed by the governor, with the consent of the council, and one of whom shall be designated as chair by the governor. The term of office of each member of the commission shall be for 5 years.

53 Boxing and Wrestling Commission. Amend RSA 285:2 to read as follows:

285:2 Establishment of Commission. There is hereby established a boxing and wrestling commission which shall oversee amateur and professional fighting sports in the state. ***The commission shall be administratively attached to the department of state pursuant to RSA 21-G:10.***

54 Annual Grant for Leased Space; Charter Schools. Amend the introductory paragraph of RSA 198:15-hh, I to read as follows:

I. The amount of the annual grant for a lease 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, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the cost of leasing permanent space in a building or buildings not owned by the school district or school administrative unit which is used for the operation of a high school vocational technical education program, to the extent approved by the state board of education. For the purposes of this section, the amount of the annual grant for a lease to a vocational technical education center shall be calculated in the same manner as a cooperative school district. The amount of the annual grant for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the annual lease payment incurred for the cost of leasing space; ***provided that no annual grant for leased space provided to a chartered public school in accordance with this section shall exceed \$30,000 in any fiscal year.*** The total amount of grants to schools pursuant to this section shall not exceed the state appropriation for leased space. If the amount appropriated is insufficient therefor, the appropriation shall be prorated proportionally among the schools eligible for a grant. Such lease agreements shall be eligible for grants under this section, provided all of the following conditions apply:

55 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2020 and June 30, 2021, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2019 distribution.

56 Senior Volunteer Program; Suspension. RSA 161-F:40 and RSA 161-F:41, relative to the senior volunteer program shall be suspended for the biennium ending June 30, 2021.

57 Congregate Housing; Suspension. RSA 161-F:37, relative to the administration of congregate housing, shall be suspended for the biennium ending June 30, 2021.

58 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, 2021, 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.

59 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [2018-2019] **2020-2021:**

- (1) State fiscal year [2018] **2020**, [\$117,573,000] **\$122,798,125.**
- (2) State fiscal year [2019] **2021**, [\$119,925,000] **\$125,743,078.**

60 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Definitions. Amend RSA 167:6, VII to read as follows:

VII. For purposes hereof, a person shall be eligible for medical assistance as categorically needy or as medically needy. A person shall be eligible as categorically needy if [he] **such person** receives financial assistance under RSA 167:6, I, IV, V or VI, or is otherwise eligible to receive such assistance but does not, **or is otherwise eligible, but does not due to receiving a finding of clinical ineligibility for federal cash benefits under paragraph VI**. A person shall be eligible as medically needy if [he] **such person** meets the categorical, age, and technical requirements under RSA 167:6, I, IV, V or VI, and if his **or her** income and assets meet the standards as prescribed for the medically needy program. A person shall also be eligible as categorically needy or as medically needy who is eligible for medical assistance pursuant to the mandates of federal law or regulation or pursuant to optional state coverage groups which are allowed by federal regulation and defined by the commissioner of the department of health and human services in accordance with rules adopted under RSA 541-A, but who does not receive assistance or would not be otherwise eligible to receive assistance under paragraph I, IV, V, or VI.

61 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 to read as follows:

I. Section 5 of this act shall take effect July 1, [2019] **2021**.

62 Department of Health and Human Services; Suspension of Direct and Indirect Graduate Medical Education Payments. 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, 2021. 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, 2021.

63 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire granite advantage health care program established under RSA 126-AA is repealed effective December 31, 2023 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which were in effect prior to the effective date of the New Hampshire granite advantage health care program.

64 Health and Human Services; Suspension of Catastrophic Aid Payments 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 catastrophic aid payments to hospitals. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for catastrophic aid payments to hospitals shall be suspended for the biennium ending June 30, 2021.

65 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV to read as follows:

IV. Section 10 of this act shall take effect June 30, [2019] **2021**.

66 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2021, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

67 Appropriation; Department of Safety, Division of Fire Standards and Training and Emergency Medical Services. There is hereby appropriated to the department of safety, division of fire standards and training and emergency medical services, the sum of \$500,000, for the biennium ending June 30, 2021, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17. The sum shall be a charge against the fire standards and training and emergency medical services fund established pursuant to RSA 21-P:12-d, and shall not lapse.

68 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2021, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house of representatives, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.

69 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services may fill unfunded positions during the biennium ending June 30, 2021, provided that the total expenditure for such positions shall not exceed the amount appropriated for personnel services.

70 Repeal. RSA 151-E:18, regarding presumptive eligibility for nursing facility services, is repealed.

71 New Section; Department of Health and Human Services; Developmental Services; Establishing Certain Funds and Transfers of Certain Appropriations. Amend RSA 171-A by inserting after section 8-a the following new section:

171-A:8-b Establishing Certain Dedicated Funds and Transfers of Certain Appropriations.

I. There is hereby established the developmental services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7100, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.

II. There is hereby established the acquired brain disorder services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7016, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.

III. There is hereby established the in-home support waiver fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7110, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.

IV. The funds in paragraphs I through III shall only be transferred between these funds and/or accounting units for those particular services for the purposes of this chapter.

72 New Subparagraphs; Department of Health and Human Services; Developmental Services; Certain Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraphs:

(344) Moneys deposited in the developmental services fund established under RSA 171-A:8-b, I.

(344) Money deposited in the acquired brain disorder services fund established under RSA 171-A:8-b, II.

(344) Money deposited in the in-home support waiver fund established under RSA 171-A:8-b, III.

73 Department of Health and Human Services; Transfer of Certain Trust Funds.

I. The trust established in *In Re: Laconia State School Trust Funds*, Docket Number 317-2017-EQ-599 (6th Circuit-Probate Division-Concord) shall be dissolved upon the final distribution of funds pursuant to the court order issued in that case.

II. Distributions shall be made from the trust to former residents of Laconia state school pursuant to court order. When there are no longer any surviving former residents of Laconia state school, any funds remaining in the trust shall be distributed to persons receiving services from the state developmental services system, in accordance with the court order, until all of the funds in the trust are fully expended.

74 Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory Bodies.

I. There is hereby established a committee to review all non-regulatory boards, commissions, councils, and advisory bodies which exist in statute to determine which such non-regulatory boards, commissions, councils, and advisory bodies should be repealed.

II.(a) The committee shall be composed of 5 members as follows:

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(2) Two members of the senate, appointed by the president of the senate.

(b) The governor shall appoint 2 persons who shall represent the executive branch and shall serve as an advisory council to the members of the committee. The advisory council shall advise and assist the members in the completion of the committee's duties.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee. The first meeting of the committee shall be called no later than 30 days after the effective date of this section. The first-named house member shall call the first meeting of the committee. Three members of the committee shall constitute a quorum.

IV. In determining which non-regulatory boards, commissions, councils, and advisory bodies should be repealed, the committee shall consider the following:

(a) Frequency of meetings.

(b) Attendance records and the level of difficulty in achieving quorum for meetings.

(c) Whether there is duplication of purpose or activities.

(d) Any other factors which the committee deems relevant.

V. The committee shall report its findings and any recommendations for legislation, including recommendations for repeal of non-regulatory boards, commissions, councils, or other advisory bodies 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, 2019.

75 Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals and Families who Receive Public Benefits.

I. The purpose of this section is to coordinate poverty reduction strategies across agencies and employers to provide necessary support mechanisms to ensure the long-term success for New Hampshire's families and

children for economic independence achieved through employment, and to demonstrate successful outcomes for families and children for identifying supportive transitions from public benefits to self-sufficiency while enhancing New Hampshire's workforce. Families include parents, grandparents, caretaker relatives, and other individuals caring for children acknowledging that the opioid crisis has impacted the care of New Hampshire's children.

II. In this section, "cliff effect" means the experience of individuals or families who receive public benefits when new or increased income results in a reduction or loss of public benefits, but the increased income does not fully compensate for or exceed the loss of public benefits. This results in the individual and or family with less public benefits and an increase in out-of-pocket expenses that eliminates any financial gain from the new or increased income.

III. The department of health and human services shall develop a plan to close the cliff effect so New Hampshire individuals and families are afforded a full opportunity to participate in the New Hampshire workforce. The plan shall include the development and implementation of a "benefits cliff calculator" to measure the effect of increased income for individuals or families who receive public benefits and shall include related policy options such as, but not limited to, an earned income disregard, transportation accessibility, and incentives for employment retention based on an updated economic analysis.

IV. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group consisting, at a minimum of, representatives of the following departments or agencies: the commissioner of the department of employment security or designee, the commissioner of the department of education or designee, the commissioner of the department of business and economic affairs or designee, the chancellor of the community college system of New Hampshire or designee, the executive director of the New Hampshire housing finance authority or designee, a representative of a philanthropic agency appointed by the governor, a representative from a community action program appointed by the governor, a private employer appointed by the governor, an individual who is receiving or who has received public benefits appointed by the governor, a member of the house of representatives appointed by the speaker of the house of representatives, and a member of the senate appointed by the senate president.

V. The meetings of the working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan to close the cliff effect for individuals and families receiving public benefits. The plan shall include, but not be limited to, policy change recommendations, the development of a benefits cliff calculator which may be used by public and private employers to navigate and close the cliff effect.

VI. The working group shall submit an initial report on the plan including policy recommendations to the speaker of the house of representatives, the senate president, and the governor on or before December 1, 2019, and quarterly thereafter for the remainder of the biennium ending June 30, 2021.

VII. The sum of \$1 for the fiscal year ending June 30, 2020 and the sum of \$1 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services for the purposes of developing and implementing the plan required in this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

76 Department of Health and Human Services; Plan for Patients Civilly Committed to the Secure Psychiatric Unit.

I. The department of health and human services shall develop a plan for repurposing space at the New Hampshire hospital made available by the transfer of certain children and by the accelerated discharge of patients at that facility who no longer need a hospital level of care. The plan shall consider renovation of all or part of the space to make it appropriate for persons now housed at the secure psychiatric unit, along with necessary changes in clinical, security, and other activities at New Hampshire hospital.

II. The plan shall be developed in consultation with the advisory council on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed no later than June 1, 2020.

III. During the plan's development, the department shall review and consider the following:

(a) Other states that have facilities which simultaneously serve all categories of civilly committed persons.

(b) Input from the attorney general, the commissioner of the department of administrative services, advocacy organizations, professional associations, and the public.

77 New Section; Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit. Amend RSA 622 by inserting after section 52 the following new section:

622:52-a Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit.

I. There is hereby established an advisory council on patients civilly committed to the secure psychiatric unit to assist the commissioner of the department of health and human services with the planning necessary to end the practice of placing civilly committed persons at the secure psychiatric unit. The members of the advisory council shall be:

(a) Five members of the house of representatives, appointed by the speaker of the house of representatives.

- (b) Two members of the senate, appointed by the senate president.
- (c) The commissioner of the department of health and human services, or designee.
- (d) The commissioner of the department of corrections, or designee.
- (e) The director of medical and forensic services, department of corrections, or designee.
- (f) The chief operating officer of the New Hampshire hospital, or designee.
- (g) One member representing New Hampshire Legal Assistance, appointed by that organization.
- (h) One member of the American Civil Liberties Union of New Hampshire, appointed by that organization.

(i) A representative of the National Alliance on Mental Illness New Hampshire, appointed by such organization.

(j) A representative of the New Hampshire Psychiatric Society, appointed by the society.

(k) A representative of the New Hampshire Community Behavioral Health Association, appointed by such organization.

(l) A representative of Advocates for Ethical Mental Health Treatment, appointed by such organization.

(m) A representative of the Community Support Network, Inc, appointed by that organization.

(n) Two members of the public, one of whom shall be a family member of a person who was civilly committed to the secure psychiatric unit, appointed by the governor.

II. The advisory council shall assist the commissioner of the department of health and human services in the development of plans for ending the practice of placing civilly committed persons at the secure psychiatric unit pursuant to RSA 622:45.

III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the advisory council.

IV. The members of the advisory council shall elect a chairperson from among the members. The first meeting of the advisory council shall be called by the first-named house member. The first meeting of the advisory council shall be held within 30 days of the effective date of this section. Nine members of the advisory council shall constitute a quorum.

V. The advisory council shall submit an annual report on November 1 of each year, commencing November 1, 2019, and a final report on November 1, 2022, detailing its activities and findings, together with any recommendations for proposed legislation, to the speaker of the house of representatives, the president of the senate, the chairpersons of the house criminal justice and public safety and the health, human services and elderly affairs committees, the chairpersons of the senate judiciary committee and the health and human services committee, the state library, and the governor.

78 Repeal. RSA 622:52-a, relative to the advisory council on patients civilly committed to the secure psychiatric unit, is repealed.

79 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2021.

80 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2021, the liquor commission, for purposes of supporting merchant card activity, may:

I. Implement necessary business strategies in the event of a disaster or loss of services to insure the continuity of the commission's business operations, including the processing of merchant cards, which includes the ability to transfer funds from accounting unit 01-03-03-030010-7677 in consultation with the commissioner of the department of information technology. The commissioner shall report to the fiscal committee of the general court within 30 days any instances where it would need to implement such business strategies, including any costs and loss of revenue associated with the disaster or loss of services and the implementation of such business strategies.

II. Enter into contracts for technical and hosting services to support retail operations and merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered into to support retail operations and merchant card processing.

III. Hire information technology technical support personnel to support its merchant card activity and related technical support operations in retail stores.

81 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For the biennium ending June 30, 2021, the public utilities commission shall not expend any funding on the implementation of an energy efficiency resource standard or change the system benefits charge without prior approval of the fiscal committee of the general court, except as consistent with or authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.

82 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2021, the department of education may, subject to the approval of the governor and council, accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations for New Hampshire scholars made in accounting unit 06-56-56-562010-7534.

83 Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax revenue, is repealed.

84 Application of Receipts. Amend RSA 6:12, I(b)(21) to read as follows:

(21) The money received under ~~[RSA 78-A:26, I(b) and]~~ RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of business and economic affairs.

85 Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O to insert after section 11-a the following new section:

12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget of the division of travel and tourism, including the travel and tourism development fund established by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified by RSA 78-A:26, I for the most recently completed fiscal year.

86 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development permit from the department of environment services, is suspended for the biennium ending June 30, 2021.

87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium ending June 30, 2021, except for projects with a substantial completion date on or before December 1, 2018, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purposes.

88 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium ending June 30, 2021, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.

89 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, 2021.

90 Treasury Department; Revenue Information Management System Account. Amend RSA 21-J:1-b, II to read as follows:

II. The revenue increase from existing taxes attributable to the RIMS collected by the department and deposited in the revenue information management system account shall be no greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, ~~[2022]~~ **2020**, and ending ~~[in the fiscal year ending June 30, 2031]~~ **when deposits total \$40,000,000**. The commissioner shall report annually on the methodology used to determine the revenue increase to the capital budget overview committee and house and senate ways and means committees.

91 Capital Appropriations. Amend the footnote to 2017, 228:1, XIX to read as follows:

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019, 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue information management system account established within RSA 21-J by legislation during the 2017 regular legislative session. ~~[If no such dedicated fund for a revenue information management system account within RSA 21-J becomes law during the 2017 regular legislative session, the appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in subparagraph A with payments of principal and interest on the bonds and notes to be made from the general fund]~~ **Notwithstanding the prescribed commencement of principal repayment from the revenue information management system replacement account, the repayment of principal from the general fund shall total \$6 million, plus interest.**

92 Department of Natural and Cultural Resources; Forest Lands. Amend RSA 227-G:5, I (b) to read as follows:

(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the fund may be expended by the commissioner, with prior approval of the fiscal committee **pursuant to RSA 9:16-a** and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, less 13 percent which shall be deposited into the general fund. Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

93 New Subparagraphs; Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery. Amend RSA 12-J:1, IV(a) by inserting after subparagraph (6) the following new subparagraphs:

(7) A representative of the New Hampshire Hospital Association, appointed by the association.

(8) A representative of the state's faith-based community.

94 Commission Member; Faith-Based Community. The governor's commission on alcohol and drug abuse and prevention, treatment, and recovery under RSA 12-J shall convene a meeting of the state's faith-based communities to include but not be restricted to the following representatives: the Roman Catholic Diocese of Manchester, the Jewish Federation of New Hampshire, New Hampshire Council of Churches, New Hampshire Alliance, Islamic Society of New Hampshire, and Community Interfaith Councils for representation from Non-Abrahamic religions. At the meeting of this group, those attending shall choose a member to serve for a 3-year term on the commission as provided in RSA 12-J:1, IV(a)(8).

95 New Chapter; Family and Medical Leave Insurance. Amend RSA by inserting after chapter 282-A the following new chapter:

CHAPTER 282-B FAMILY AND MEDICAL LEAVE INSURANCE

282-B:1 Findings. The general court finds that family and medical leave insurance will help New Hampshire attract and retain workers, including younger workers, will enable parents to bond with biological, adopted, or foster children, will help meet the needs of an aging population, will advance the health of New Hampshire's workforce and workplace stability, and will enhance worker retention and productivity. The general court therefore finds that it is in the public interest to establish a system of family and medical leave insurance (FMLI) with benefits to be provided to qualified workers on a limited basis.

282-B:2 Definitions. In this chapter:

I. "Benefit year" means the 12-month period beginning with the first day of the calendar week in which the individual next files an application for FMLI benefits after the expiration of the individual's last preceding application year.

II. "Calendar quarter" has the same meaning as in RSA 282-A:5.

III. "Commissioner" means the commissioner of the department of employment security.

IV. "Department" means the department of employment security.

V. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as provided in RSA 282-A:9.

VI. "Employment" means wages paid for services by an employer that is covered by this chapter.

VII. "Family member" means a spouse or domestic partner under RSA 457, son, daughter, parent, step-parent, grandparent, or step grandparent related through birth, marriage, adoption, foster care, or legal guardianship.

VIII. "Family and medical leave" means leave from work:

(a) Because of the birth of a child of the employee, within the past 12 months; or

(b) Because of the placement of a child with the employee for adoption, legal guardianship, or fostering, within the past 12 months; or

(c) Because of a serious health condition of a family member; or

(d) Because of a serious health condition of the employee that isn't related to employment; or

(e) Because of any qualifying exigency arising from the foreign deployment with the Armed Forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)

IX. "FMLI" means family and medical leave insurance.

X. "Federal Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, 29 U.S.C. section 28.

XI. "Serious health condition" means any illness covered by the federal Family and Medical Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

XII. "Fund" means the family and medical leave insurance fund as described in RSA 282-B:4.

282-B:3 Employer Applicability.

I. This chapter applies to the state and nongovernmental employers beginning January 1, 2020, provided that any employer may instead exercise a business option of: participating in a self-insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof, upon employer application and certification by the commissioner or authorized representative that the employer will provide an equivalent benefit to all of its employees. If the employer is subject to a collective bargaining agreement, this chapter shall apply to the employer upon the effective date of the first successor collective bargaining agreement following January 1, 2020 to permit the employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political subdivisions of the state may opt into this chapter upon certification by the authorized representative that this chapter's insurance benefits are at least equivalent to the benefits provided under the collective bargaining agreement, provided the applicable bargaining unit has first ratified this option.

Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for collective bargaining agreements. Employees not covered by a collective bargaining agreement in a political subdivision of the state may opt into this chapter if the political subdivision has not.

II. All employers subject to this chapter shall remit FMLI premium payments on a calendar quarter basis. These quarterly insurance premium payments shall amount to 0.5 percent of wages per employee per week for each week of the preceding quarter. Employers may withhold or divert no greater than 0.5 percent of wages per week per employee to satisfy this paragraph, provided that such employers provide employees, before employment commences, a department approved information sheet containing conspicuous language explaining the costs and benefits of the insurance.

III. The penalties for falsity by employers shall be in accordance and consistent with RSA 282-A:166. The process for failing to adequately report shall be in accordance and consistent with RSA 282-A:151-152 and 282-A:166-a, and any resulting appeals shall be processed in accordance and consistent with RSA 282-A:94-98.

282-B:4 Family and Medical Leave Insurance Fund; Administration. The department shall create and administer a family and medical leave insurance fund for deposits of insurance payments paid pursuant to RSA 282-B:3, and accept any other deposit of moneys as authorized by law or by the commissioner or authorized representative. No FMLI fund moneys shall be commingled with unemployment insurance fund moneys. The department may withdraw or deduct from the FMLI fund where there are qualifying FMLI benefit payments or for any amounts reasonably necessary to implement and administer the provisions of this chapter or to repay any start-up loan.

282-B:5 Employer and Employee Responsibilities.

I. An employee shall both file an application with the department, including any applicable medical certification or birth certificate, and provide his or her employer with written notice of intent to take a leave of absence at least 30 days before the leave will begin unless the leave was not reasonably foreseeable or the time of the leave changes due to circumstances that were not reasonably foreseeable, provided, however, that the employee shall provide notice as soon as practicable. An employee's failure to provide required notice may delay or reduce benefits.

II. Any employee of an employer covered under the federal Family and Medical Leave Act who takes leave under this chapter shall be restored to the position he or she held in the application period or to an equivalent position by his or her employer. Employers shall continue to provide health insurance to employees during the leave, but employees remain responsible for any employee-shared costs associated with the health insurance benefits. Employers shall not retaliate against any employee solely for exercising his or her rights under this chapter.

III. An employer may require that leave taken under this chapter be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or employer policy. The employer shall give individuals in its employ written notice of this requirement.

282-B:6 Eligibility Process, Calculation, and Appeals.

I. An employee shall be limited to up to 12 weeks of FMLI in any one application period. An employee shall have had premium payments remitted as a percent of his or her wages for at least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in the amount of at least 1,040 multiplied by the applicable minimum wage, in either the "base period" or "alternative base period," as those terms are defined in RSA 282-A:2.

II. An employee shall be eligible for FMLI for reasons identified in paragraph I and RSA 282-B:2, IX.

III. The calculation of weekly FMLI benefits shall be the highest quarter of wages in either the base period or alternate base period as defined in RSA 282-A:2, then divided by 13 and multiplied by 0.6, provided that no such calculation of FMLI benefits shall be less than \$125 per week or greater than 0.85 of the average weekly wage in New Hampshire. The calculation for partial FMLI benefits shall be in a manner consistent with RSA 282-A:14.

IV. The process for FMLI benefits claims, violations, and any resulting appeals shall be in accordance and consistent with RSA 282-A:42 through RSA 282-A:68 and RSA 282-A:118. Processing of benefits claims and benefit payment may be administered by a third party selected through a request for proposals issued by the department. The standard and process for handling overpayments shall be in accordance and consistent with RSA 282-A:29, RSA 282-A:141-RSA 282-A:156 and RSA 282-A:165. In addition, an individual shall be disqualified from FMLI benefits beginning with the first day of the calendar week, and continuing for the next 26 weeks, in which the individual has been found to willfully made a false statement or misrepresentation regarding a material fact, or willfully failed to report a material fact, to obtain benefits under this chapter.

282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by the commissioner or authorized representative under this chapter, limit the ability of employers to provide FMLI benefits or benefits beyond what is required by this chapter.

282-B:8 Report and Outreach.

I. The department shall make public and provide semi-annual reports to the governor, senate president, speaker of the house of representatives, and the advisory council established pursuant to RSA 282-A:128 involving a summary to include but not be limited to, compliance with this chapter, payments into and out of the fund, fund balance, usage rates including for low wage employees, and retention of employees who received FMLI benefits.

II. The department shall develop and implement an outreach program to ensure that individuals who may be eligible to receive FMLI benefits under this chapter are made aware of these benefits. Outreach information shall explain in an easy to understand format, eligibility requirements, the claims process, weekly benefit amounts, maximum benefits available, notice requirements, reinstatement and non-discrimination rights, confidentiality, and coordination of leave under this chapter and other laws, collective bargaining agreements, and employer policies.

282-B:9 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to this chapter. In adopting rules, the commissioner shall maintain consistency with the rules adopted to implement the federal Family and Medical Leave Act, to the extent such rules are not in conflict with this chapter.

282-B:10 Sustainability Mechanism. The commissioner shall continuously monitor the solvency of the fund. Should the commissioner determine at any time that the solvency of the fund is in jeopardy, or that the fund is in excess of necessary funds, the commissioner shall provide the advisory council with data supporting such solvency determination and may prospectively, effective in a future calendar quarter, increase or reduce FMLI premiums in RSA 282-B:3, II, decrease the benefits payable in RSA 282-B:6, III, or decrease the allowable length of leave in RSA 282-B:6, I, or any combination thereof, provided such prospective changes are cumulatively no greater than or less than 10 percent of those required under this chapter. If the commissioner thereafter determines such changes are no longer necessary for fund solvency the commissioner shall reverse such changes. Advance notice of any and all changes pursuant to this paragraph shall be provided to all covered employers and employees.

282-B:11 Family and Medical Leave Insurance Program; Funding Transfer and Repayment. The state treasurer shall transfer funds from the general fund to the department of employment security for payment of the initial administrative and implementation costs associated with this chapter. Within the first 5 years after the family and medical leave insurance program becomes operational, the department shall repay the general fund transfer in installments from funds deducted from the family medical leave insurance fund.

96 Advisory Council. Amend RSA 282-A:128 to read as follows:

282-A:128 Advisory Council. There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation *and family medical leave insurance*, hereinafter called the advisory council. The advisory council shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; 3 shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; one shall be a senator appointed by the senate president; one shall be a representative ~~[from the labor, industrial and rehabilitative services committee]~~ appointed by the speaker of the house; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him *or her* to deal with the problems of unemployment compensation. Such advisory council shall meet no later than 45 days after each calendar quarter and aid the commissioner in formulating policies and discussing problems related to the administration of this chapter *and RSA 282-B* and in assuring impartiality and freedom from political influence in the solution of such problems. Advisory council meetings shall provide opportunity for public comment. ***The advisory council shall quarterly review and evaluate family medical leave insurance and, after 2 years of administration, the commissioner shall assess utilization, finances, and benefit levels and provide the general court with rate adjustment or fiscal recommendations.***

97 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the family and medical leave insurance fund established in RSA 282-B:4.

98 Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund, is repealed.

99 Civil Legal Assistance. Amend RSA 525-A:1 and 525-A:2 to read as follows:

525-A:1 [Civil Legal Assistance] ***Statement of Purpose.*** Funds appropriated to New Hampshire Legal Assistance for the purposes of civil legal assistance shall be used ~~[only for the provision of civil legal representation to low-income persons in this state. New Hampshire Legal Assistance shall make reports to the judicial council by June 30 and December 31 of each year on its use of state funds]~~ ***to enable the state to fund civil legal services to low-income persons in the state.***

525-A:2 Civil Legal Services [Fund]. ~~[There is established in the office of the state treasurer a separate fund to be known as the civil legal services fund. The money in this fund shall be distributed to]~~ ***Funds appropriated to New Hampshire Legal Assistance [to] shall be used to [establish and operate offices in the***

~~cities of Nashua and Concord to]~~ provide civil legal services to low-income persons in ~~[the cities of Nashua and Concord and the surrounding areas, and to provide additional attorneys, paralegals, or both, to the staff of the New Hampshire Legal Assistance offices in Manchester, Claremont, Portsmouth, and Littleton]~~ **the state**. These civil legal services shall include services related to such issues as housing, social security and other government benefits, health care, domestic violence, and consumer issues. New Hampshire Legal Assistance shall report semi-annually to the judicial council as to its use of these funds ~~[in accordance with RSA 525-A:1]~~.

100 Health Facilities Licensure; Applicability of Moratorium. Amend RSA 151:2, VI(a) to read as follows:

VI.(a) 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.***

101 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following new chapter:

CHAPTER 287-I SPORTS BETTING

287-I:1 Definitions. In this chapter:

I. "Agent" means a party who is authorized by contract or agreement with the commission to conduct a sports book.

II. "Authorized sports bettor" means an individual 18 years of age or older who is physically present in the state of New Hampshire when placing a sports wager with the commission or an authorized agent of the commission and is not a prohibited sports bettor.

III. "Collegiate sports event" means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services beyond the secondary level.

IV. "Commission" means the lottery commission.

V. "Director" means the executive director of the lottery commission or designee.

VI. "High school sports event" means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services at the secondary level.

VII. "In-play sports wager" means a sports wager on a sports event after the sports event has begun and before it ends.

VIII. "Mobile sports wagering platform" means the combination of hardware, software, and data networks used to manage, administer, record, or control sports wagers.

IX. "Professional sports event" means an event at which 2 or more persons participate in a sports or athletic event and receive compensation in excess of actual expenses for their participation in such event.

X. "Prohibited sports bettor" means:

(a) Any member or employee of the commission and any spouse, child, sibling, or parent residing in the same household as a member or employee of the commission.

(b) Any principal or employee of any agent.

(c) Any contractor of the commission or its agent when such contract relates to the conduct of sports wagering.

(d) Any contractor or employee of an entity that conducts sports wagering in another jurisdiction when the bettor possesses confidential nonpublic information as a result of his or her contract or employment relating to the wager being placed.

(e) Any amateur or professional athlete if the sports wager is based in whole or part on a sport or athletic event overseen by the athlete's governing sports body.

(f) Any sports agent, owner or employee of a team, player, umpire, referee, coach, union official, or official of a sports governing body if the sports wager is based in whole or part on a sport or athletic event overseen by the governing body which oversees the individual's sport.

(g) Any individual placing a wager as an agent of or proxy for a prohibited sports bettor.

(h) Any person under the age of 18.

XI. "Prohibited sports event" means:

(a) A collegiate sports event in which one of the participants is a collegiate team of a college institution that is primarily located in New Hampshire;

(b) A collegiate sports event that takes place in New Hampshire;

(c) Any high school sports event in any location;

(d) Any amateur sports event where the participants are primarily under the age of 18; provided that "prohibited sports event" does not include the games of a collegiate sports tournament in which a New Hampshire college team participates, nor does it include any games of a collegiate sports tournament that occurs outside New Hampshire even though some of the individual games or events are held in New Hampshire;

and provided further that sports wagers are permitted on collegiate sports tournament games in which a New Hampshire college team participates only if the outcome of the wager is based on the outcome of all games within the tournament.

XII. "Sports governing body" means the organization that prescribes final rules and enforces codes of conduct with respect to a sporting event and participants therein.

XIII. "Sports book" means the business of accepting wagers on any sports event by any system or method of wagering.

XIV. "Sports wager" means cash or cash equivalent paid by an individual to participate in sports wagering.

XV. "Sports wagering" means wagering on sporting events or any portion thereof, or on the individual performance statistics of athletes participating in a sports event, or combination of sports events, by any system or method of wagering, including but not limited to in person communication and electronic communication through Internet websites accessed via a mobile device or computer and mobile device applications. The term sports wagering shall include, but not be limited to, single game bets, teaser bets, parlays, over-under bets, money line bets, books, exchange wagering, in game wagering, in-play bets, proposition bets, and straight bets.

XVI. "Tier I sports wager" means a sports wager that is placed before the start of the sports event and is determined solely by the final score or final outcome of that single sports event.

XVII. "Tier II sports wager" means an in-play sports wager.

XVIII. "Tier III sports wager" means a sports wager that is neither a tier I or tier II wager.

287-I:2 Sports Book Authorized. The commission is authorized to operate a sports book for the purposes of accepting and paying sports wagers by authorized bettors within the state in conformance with the requirements of this chapter.

287-I:3 Commission Agents. The commission shall conduct a sports book for sports wagering through agents selected through a competitive bid process and approved by the governor and executive council. Any such contract shall be based on the state receiving a percentage of revenue from sports wagering activities within the state. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's mobile and Internet capabilities, the agent's contribution to economic development within the state, the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity in betting. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agent or agents whose bid provides the state with the highest percentage of revenue from the sports wagering activities covered by the bid, provided that the commission determines that the bidder's commitment to return said revenue percentage to the state is consistent with the bidder's commitment to meet all other criteria specified in the bid request and in applicable law. All agents shall be subject to criminal and financial background checks as prescribed by the commission. The commission may retain vendors to support the commission in operating a sports book.

287-I:4 Commission Directed Sports Wagering. The commission is further authorized to directly offer lottery games to authorized bettors within the state in the form of tier III sports wagers through the commission's lottery retailers subject to the provisions of this chapter.

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

287-I:6 Local Option for Operation of Sports Book Retail Locations.

I. Any town or city may allow the operation of a sports book retail location according to the provisions of this subdivision, in the following manner, excepting that nothing in this section shall be construed to prohibit Internet or mobile wagering or lottery games involving tier III sports wagers in the jurisdiction, if so authorized by the passage of this statute.

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 25 of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of sports book retail locations within the town or city?"

II. If a majority of those voting on the question vote “Yes”, sports book retail locations may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of sports book retail locations may consider rescinding its action in the manner described in paragraph I of this section.

V. An unincorporated place may allow the operation of a physical sports book retail location by majority vote of the county delegation, after a public hearing is held.

VI. The commission shall maintain a list of municipalities where sports book retail locations may be placed into operation.

287-I:7 Mobile Sports Wagering Authorized. The commission and its agent are authorized to operate a sports book through a mobile sports wagering platform by mobile devices or over the Internet. With respect to mobile sports wagering, the commission, either independently, or through its agent, shall provide:

I. Age verification measures to be undertaken to block access to and prevent sports wagers by persons under the age of 18 years.

II. Identity verification through secure online databases or by examination of photo identification.

III. That electronic data related to sports wagers must be initiated and received within the geographic borders of the state of New Hampshire and may not be intentionally routed outside of the state. The incidental intermediate routing of electronic data shall not determine the location or locations in which a bet or wager is initiated, received, or otherwise made.

IV. Wager limits for daily, weekly, and monthly amounts for each player and account consistent with the best practices in addressing problem gambling.

V. A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.

VI. Security mechanisms to ensure the confidentiality of wagering and personal and financial information except as otherwise authorized by this chapter.

287-I:8 Sports Wagering Supervision. The commission shall create a division of sports wagering which will be responsible for ensuring compliance with the requirements of this chapter and any rules adopted by the commission in accordance with the authorities granted under this chapter. In addition, the division, under the direction of the director and commission, shall ensure that the commission’s agents and vendors comply with the following obligations:

I. Each agent or vendor engaged in sports wagering shall submit a security and internal control report for the division’s review and approval prior to conducting any sports wagering within the state and every year thereafter. This report shall address all aspects of security and controls including physical security, personnel security, and computer systems security including:

(a) Surveillance plans for all retail sports book locations, including surveillance coverage and direct access for the commission to the surveillance system.

(b) User access controls for sports book personnel.

(c) Segregation of duties within the sports book.

(d) Employment background checks and policies.

(e) Automated and manual risk management procedures.

(f) Procedures for identifying and reporting fraud and suspicious conduct.

(g) Procedures to establish connectivity with monitoring services or sports governing bodies relating to suspicious activity.

(h) Any and all monitoring systems utilized by the agent or vendor to report and receive information on suspicious betting activities.

(i) Systems and procedures to prevent prohibited sports bettors from placing wagers.

(j) Description of anti-money laundering compliance standards.

(k) Descriptions of all integrated third-party systems or components and the security procedures relating to those systems.

II. For each wagering computer system used to conduct sports wagering, including all mobile sports wagering platforms within the state, the agent or vendor providing such system shall provide a detailed computer system security report to be approved by the commission prior to the acceptance of wagers and each year thereafter. The report shall address the issues set forth in the security and internal control report along with the following:

(a) Documented system security testing performed by a licensed third-party contractor approved by the commission;

(b) A description of all software applications that comprise the system;

(c) A procedure for third-party auditing of financial transactions received by the system;

(d) A description of all types of wagers supported by the system;

(e) Unique identification and verification systems for wagers;

- (f) Procedures to prevent past posting of wagers;
- (g) A list of data recorded relating to each wager;
- (h) System redundancy to ensure recording of wagers during a system outage;
- (i) A mechanism to provide read only access to the commission to the back office system for the purposes of reviewing and auditing wagering activities;
- (j) Integration with an independent control system to ensure integrity of system wagering information;
- (k) Capabilities for canceling existing wagers, freezing or suspending wagering across the platform, or for specific events; and

(l) Any other issue identified by the division upon review of the proposed gaming system.

III. Each agent engaged in sports wagering shall submit house rules for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. These house rules shall include at a minimum:

- (a) The method for calculation and payment of winning wagers.
- (b) The effect of schedule changes for a sports event.
- (c) The method of notifying bettors of odds or proposition changes.
- (d) Acceptance of wagers at terms other than those posted.
- (e) Expiration dates for winning tickets.
- (f) Rules for payment of wagers made after a material error in setting odds or a proposition for an event by the sports book.
- (g) Method of contacting the agent or vendor for questions or complaints.
- (h) Description of those persons who are prohibited from wagering with the agent or contractor if broader than the prohibited bettors list set forth in this section.
- (i) The method and location for posting and publishing the approved house rules.

IV. Each agent or vendor engaged in sports wagering shall submit accounting controls for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. These accounting controls shall include at a minimum:

- (a) A process for documenting and verifying beginning of day cash balance;
- (b) Processes for recording collection of wagers, payment of wagers, and cancellation of wagers issued;
- (c) Processes for handling cash within sports book retail locations including segregation of duties related to counting and storage of cash; and
- (d) The establishment of a segregated account related to New Hampshire sports wagering activities.

V. The commission's agent shall submit a responsible gaming plan for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. This plan should include identification of posting and materials related to problem gaming, resources to be made available to bettors expressing concerns about problem gaming, house imposed player limits, and self-exclusion programs.

VI. The commission's agent shall maintain a cash reserve available to pay wagers as determined by the commission.

VII. The commission's agent or vendor shall not accept any wager on a sports event unless it has received approval from the commission to conduct that type or category of wager. A type of wager refers to the method of determining the outcome of the wager. The category refers to the kind of event being wagered on. The commission shall approve wager categories and types in a reasonable time frame. Once a particular category or wager type is approved for its first use it may be used on multiple events without further approval.

VIII. The commission shall only approve wagers on categories of events where:

- (a) The outcome can be verified;
- (b) The outcome can be generated by a reliable and independent process; and
- (c) The event is conducted in conformity with applicable laws.

IX. Wagers made under this section shall be made with:

- (a) Cash;
- (b) Cash equivalent;
- (c) PayPal;
- (d) Debit card;
- (e) ACH;
- (f) Promotional funds; and
- (g) Any other means approved by the executive director.

X. Any agent or contractor who sends or receives electronic data related to sports wagers is responsible to ensure that any transfer of that data is initiated and completed within the state of New Hampshire and that only incidental intermediate routing of the electronic data occurs outside of the state. The agent and contractor shall be responsible for periodically reviewing their information technology systems and networks to ensure compliance with this section.

287-I:9 Proceeds to Education Fund. The proceeds received by the commission from sports wagering, less the administrative costs of the commission, prizes paid, and payments for problem gambling services, shall be deposited in the education trust fund established in RSA 198:39.

287-I:10 Limitations on Sports Wagers. The commission and its agents are prohibited from the following activities:

I. Accepting or making payment relating to sports wagers made by prohibited sports bettors.

II. Accepting sports wagers on prohibited sports events.

III. Accepting sports wagers from persons who are physically outside of the state of New Hampshire at the time of the sports wager.

287-I:11 Disclosure of Data Source. The commission and agents shall publicly disclose the source of the data that will be used to determine the outcome of a tier II or tier III wager.

287-I:12 Risk Management. The commission's agent may take any risk management strategies as authorized by the director.

287-I:13 Maintaining Sports Integrity. The commission and agent may participate in national and international monitoring services and associations and may share betting information with those entities and sports governing bodies in order to ensure the integrity of sports wagers and sports events. The director may restrict, limit, or exclude wagering on a sports event if he or she determines that such an action is necessary to ensure the integrity of the sports book.

287-I:14 Financial Reports. The commission may seek financial and compliance reports from its agent periodically and may conduct audits of these reports to ensure that the state receives the agreed upon revenue sharing proceeds.

287-I:15 Compliance Reviews. The commission shall retain oversight of its agent to ensure that all sports wagering activities are conducted in accordance with this statute and any rules adopted by the commission.

287-I:16 Fantasy Sports Exempted. Nothing in this chapter shall apply to fantasy sports contests authorized pursuant to RSA 287-H.

287-I:17 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to the operation, conduct, location, and oversight of sports books. The commission may enact emergency rules, which will take effect upon approval.

102 Bets Void. Amend RSA 338:2 to read as follows:

338:2 Bets Void. *Except as authorized by the lottery commission*, all bets and wagers upon any question where the parties have no interest in the subject except that created by the wager are void; and either party may recover any property by him *or her* deposited, paid, or delivered upon such wager or its loss, and repel any action brought for anything, the right or claim to which grows out of such bet or wager.

103 Education Trust Fund; Sports Betting Added. Amend RSA 198:39, I(k) to read as follows:

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

104 New Subparagraph; Gambling; Exceptions. Amend RSA 647:2, V by inserting after subparagraph (e) the following new subparagraph:

(f) Sports wagering as defined by RSA 287-I:1, XV.

105 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter 338-A the following new chapter:

CHAPTER 338-B COUNCIL FOR RESPONSIBLE GAMBLING

338-B:1 Definitions. In this chapter, "council" means the council for responsible gambling.

338-B:2 Statement of Purpose. Education, prevention, and treatment relating to gambling disorders are an integral part of a responsible gaming environment within the state.

338-B:3 Establishment. There is established the council for responsible gambling which shall promote education, prevention, and treatment of problem gambling within the state.

338-B:4 Membership.

I. The council shall consist of 5 members appointed by the governor and executive council and shall be qualified in the field of addiction or mental health services with a focus on problem gambling and shall be residents of the state. A member may be removed by the governor and executive council only for cause shown in accordance with RSA 4:1. The members shall elect one of their number as chairperson. Three members of the council shall constitute a quorum.

II. Members shall serve 3 year terms and until their successors are appointed; provided that for the initial appointments only, one member shall be appointed to a term of one year, 2 members shall be appointed to a term of 2 years and 2 members shall be appointed to a term of 3 years. Any vacancy shall be filled for the unexpired terms.

III. Members of the council shall receive mileage at the rate of state employees when attending meetings of the council or performing duties on behalf of the council.

338-B:5 Powers and Duties. The council shall have the authority to enter into grants and contracts for the purposes of furthering education, prevention, and treatment of problem gambling within the state.

338-B:6 Report of the Council. The council shall submit a biennial report to the governor and executive council on or before October 1 of each even-numbered year. The report shall include a description of the council's activities including a financial report for the relevant time period.

338-B:7 Administrative Attachment. The council shall be administratively attached to the lottery commission in accordance with RSA 21-G:10. In addition to the support provided to an administratively attached agency, the lottery commission shall also provide the following to the council:

I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.

II. Meeting and office space as reasonably required by the council to conduct the activities prescribed by this chapter.

III. Personnel as reasonably required by the council to conduct activities prescribed by this chapter, except that the lottery commission may charge the council for use of such personnel pursuant to an agreement between the lottery commission and the council.

106 Operation of Keno Games; Fees for Research. Amend RSA 284:47, II to read as follows:

II. A licensee may retain 8 percent of the proceeds from keno games. ~~[Of the remaining 92 percent:-~~

(a) ~~One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.~~

(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established in RSA 198:39.

107 Tobacco Tax; Definitions. Amend RSA 78:1, XVI to read as follows:

XIV. "Tobacco products" means ***any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, including but not limited to*** cigarettes, ***electronic cigarettes***, loose tobacco, smokeless tobacco, and cigars~~[-but]~~. ***Tobacco products*** shall not include premium cigars ***or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold exclusively for such approved use.***

108 New Paragraph; Electronic Cigarette; Definition. Amend RSA 78:1 by inserting after paragraph XXIV the following new paragraph:

XXV. "Electronic cigarette" means any liquid or substance containing nicotine that is intended to be used with or in a device that can be used to produce a vapor or aerosol from such a liquid or substance, including but not limited to, a device manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, or vape pen. "Electronic cigarette" shall also include any such device, and any component, part, or accessory used in the operation of such a device, but only if sold together with any liquid or substance containing nicotine.

109 Youth Access to and Use of Tobacco Products; Definition of E-Cigarette. Amend RSA 126-K:2, II-a to read as follows:

II-a. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that ~~[provides a vapor of pure]~~ ***may or may not contain*** nicotine ~~[mixed with propylene glycol to the user as the user simulates smoking]~~. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.

110 Alcoholic Beverages; Definition of E-Cigarette Added. Amend RSA 175:1, XXXI-a and XXXI-aa to read as follows:

XXXI-a. ***"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that may or may not contain nicotine. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.***

XXXI-aa. "Farmers' market" means an event or series of events at which 2 or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public. Commodities offered for sale must include, but are not limited to, products of agriculture, as defined in RSA 21:34-a. "Farmers' market" shall not include any event held upon any premises owned, leased, or otherwise controlled by any individual vendor selling therein.

~~[XXXI-aa.] XXXI-aaa.~~ "Food" means solid nutritive material as distinguished from drink.

111 Definition of License. Amend RSA 175:1, XXXIX to read as follows:

XXXIX. "License" means the authority granted by the commission to engage in the sale of liquor, wine, beverages, ~~[or]~~ tobacco products, ***or e-cigarettes*** otherwise unlawful unless evidenced by such document.

112 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:

LIX-a. "Retailer," when used with respect to tobacco products ***or e-cigarettes***, means any person who sells tobacco products ***or e-cigarettes*** to consumers, and any vending machine in which tobacco products are sold.

113 Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:

III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, [or] tobacco products, *e-cigarettes* are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

114 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:

VI. No person shall sell tobacco products *or e-cigarettes* to individuals or the public in any method or manner, directly or indirectly, or keep for sale any tobacco products *or e-cigarettes* without first registering to do business with the secretary of state and obtaining a license for such activity under the provisions of this title. The commission shall provide a list of persons licensed under this section to the commissioner of the department of revenue administration upon request.

115 Licenses Authorized; Sale of Tobacco Products. Amend RSA 178:2, I to read as follows:

I. The commission may issue licenses to individuals, partnerships, limited liability companies and partnerships, or corporations but not to unincorporated associations, on applications duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders for sale of liquor or beverages and for retail sales of tobacco products *or e-cigarettes* within the state, subject to the limitations and restrictions imposed by this title. The commission shall keep a full record of all applications for licenses, of all recommendations for and remonstrances against the granting of licenses, and of the action taken on such applications.

116 Combination License; Sale of Tobacco Products or E-Cigarettes. Amend RSA 178:18 to read as follows:
178:18 Combination License.

I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and beverages for consumption only off the premises designated in the licenses and not to other licensees for resale. Such sale shall be made only in the immediate container in which the beverage, wine, or fortified wine was received by the off-premises combination licensee; except that in the case of the holder of a wholesale distributor license, beverages may be sold only in such barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses may also authorize the licensee to sell tobacco products *or e-cigarettes*. There shall be no restriction on the number of combination licenses held by any person. The license shall authorize the licensee to transport and deliver beverages, tobacco products, *e-cigarettes*, and table or fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of tobacco, *e-cigarettes*, beverages, fortified wines, and table wine shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. The commission may suspend the tobacco, *e-cigarettes*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

117 Retail Wine License; Sale of Tobacco Products. Amend RSA 178:19 to read as follows:
178:19 Retail Wine License.

I. A retail wine license may be issued by the commission to any person operating a retail outlet in this state which shall allow the licensee to sell tobacco products, *e-cigarettes*, fortified wines, and table wines directly to individuals at retail on the premises for consumption off the premises; provided, however, that persons holding any license authorizing the sale of liquor or wine by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate area of the premises from the areas licensed for on-premises consumption. A separate license shall be required with respect to each place of business of an applicant. The license shall authorize the licensee to transport and deliver fortified and table wines ordered from and sold by the commission and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of wine, [and] tobacco products, *and e-cigarettes* shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. On-premises licensees licensed under this chapter shall maintain separate rooms for storage, shelving, display, and sale of tobacco products, *e-cigarettes*, and fortified and table wine for consumption off the premises. Such rooms shall be equipped with at least one cash register which shall be capable of separately registering wine sales, and such rooms shall have an attendant at all times while open for business. Wine purchased for resale by virtue of the retail wine license shall be purchased on separate invoices from that wine intended for consumption in the dining room or lounge, and separate sales records shall be maintained for this purpose.

IV. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

118 Retail Tobacco License; Sale of E-Cigarettes. Amend RSA 178:19-a to read as follows:
178:19-a Retail Tobacco License.

I. The commission may issue a retail tobacco license to a person engaged in the business of retail sales and distribution of tobacco products **or e-cigarettes** in this state. Each retail outlet shall have a separate license regardless of the fact that one or more outlets may be owned or controlled by a single person.

II. A retail tobacco license shall be prominently displayed on the premises described in it.

III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign which shall read or be substantially similar to the following: "State Law prohibits the sale of tobacco products **or e-cigarettes** to persons under age 18. Warning: violators of these provisions may be subject to a fine."

119 Beer Specialty License; Tobacco Products and E-Cigarette Sales. Amend RSA 178:19-d, I to read as follows:

I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, [and] tobacco, **and e-cigarettes** products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.

120 Beer Specialty License; Sale of Tobacco Products and E-Cigarettes. Amend RSA 178:19-d, V-VI to read as follows:

V. All sales of beer, [and] tobacco products, **and e-cigarettes** shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

VI. The commission may suspend the tobacco, **e-cigarette**, or alcohol sales portion of the license separately under the provisions of RSA 179:57.

121 Board of Veterinary Medicine; Transfer to Office of Professional Licensure and Certification. Amend RSA 332-B:3 to read as follows:

332-B:3 Board; Compensation.

I. There shall be a board of veterinary medicine consisting of 7 members: 5 veterinarians, the state veterinarian, and one public member. The members, other than the state veterinarian, shall be appointed by the governor, with the approval of the council, to a term of 5 years, and until a successor is appointed. No appointed member of the board shall be appointed to 2 consecutive 5-year terms. Vacancies shall be filled for the remainder of the term and in the same manner as the original appointment. Any appointed member of the board may be removed by the governor after a hearing by the board determines cause for removal. The state veterinarian [may] **shall** serve as an ex officio member, provided any duties of the state veterinarian relative to this chapter shall be agreed upon in writing by the board and the commissioner of agriculture, markets, and food and which agreement may include:

(a) ~~[Supervision of the board's administrative office and employees]~~ **Recording and producing meeting minutes for regular board meetings;**

(b) ~~[Assistance with administrative activities]~~ **Representing the board on the advisory council established in RSA 318-B:38;**

(c) Submission of periodic reports to the board; and

(d) Participation in complaint investigations.

II. When a vacancy has occurred, or is due to occur in a veterinary position on the board, the New Hampshire Veterinary Medical Association shall nominate 3 qualified persons and forward the nominations to the governor. The governor may make appointments from those nominated by the association, but shall not be required to appoint one of those so nominated.

III. Each appointed member of the board shall be paid \$75 for each day or portion of a day of at least 3 consecutive hours in which the member is engaged in the work of the board, in addition to such reimbursement for travel and other expenses as is normally allowed to state employees.

IV. ~~[The board shall be an administratively attached agency, under RSA 21-G:10, to the department of agriculture, markets, and food.]~~ **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.**

122 State School Organization; Professional Standards Board. Amend RSA 186:60, I(a) to read as follows:

(a) The ~~[director of the division]~~ **commissioner of the department** of education ~~[analytics and resources]~~, or designee, who shall be the executive secretary of the board;

123 Council for Teacher Education; Commissioner Designee. Amend RSA 190:2 to read as follows:

190:2 Members. The council for teacher education shall consist of: the commissioner of education, **or his or her designee**, and the chairman of the department of education of the university of New Hampshire; 3 members appointed by them for terms not exceeding 3 years, one from a private educational institution, one from the professional personnel of the public schools and one layman; and the presidents of Keene state college and Plymouth state university, or staff members designated by them; provided that additional members may be appointed by these 7 for such terms as they may determine. Members of the council shall be entitled

to reimbursement by the state board of education for mileage and expenses incurred in the performance of their required duties. The state board of education shall furnish the council with suitable meeting facilities, administrative assistance, and necessary supplies.

124 Department of Environmental Services; Modification of Qualifications for Director of Division of Water. Amend RSA 21-O:2, III(a) to read as follows:

(a) The commissioner shall, after consulting with the water council, nominate for appointment by the governor and council a director of the division of water. The nominee shall have a baccalaureate or master's degree from an accredited college or university~~[- hold a valid license or certificate of registration to practice civil, sanitary, or environmental engineering issued by the lawfully constituted registration board of any state of the United States,]~~ and shall have a minimum of 5 years' responsible experience in the administration of sanitary or environmental engineering programs in the public or private sector.

125 Department of Environmental Services; Certified Application Preparer Program. Amend RSA 482-A:3, XX(a)-(b) to read as follows:

(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. ~~[Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.]~~

(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department. ~~[and the]~~ **The** department shall issue a ~~[permit]~~ **decision on the application** within 10 days of receipt of a complete application~~[-]~~, **as follows:**

(1) If the application is approvable and is submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be final upon issuance.

(2) If the application is approvable but is not submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be conditional pending expiration of the 14-day period for conservation commission intervention established in RSA 482-A:11, III(a). If the department receives a timely notice of intervention from a conservation commission, the application shall be converted to a regular application, with credit given for the fee paid with the application.

(3) If the application is not approvable as a minimum impact project but might be approvable as a minor impact or major impact project, the application shall automatically be converted to an application for a standard permit, with credit given for the fee paid with the application.

(4) If the application is not approvable as a minimum impact, minor impact, or major impact project, the application shall be denied.

126 Department of Environmental Services; Public Bathing Facilities. RSA 485-A:26 is repealed and reenacted to read as follows:

485-A:26 Swimming Pools and Bathing Places Public Bathing Facilities.

I. In this section:

(a) "Pool" means a man-made structure and associated pump, filter, drain, and electrical equipment that is used for recreational or therapeutic bathing, swimming, diving, or other contact with the water such as by wading, splashing, tubing, or sliding. "Pool" shall include, but is not limited to, swimming pools, therapy pools, spas, special recreation pools, slides, and tubing courses, at hotels, motels, health facilities, water parks, condominium complexes, apartment complexes, youth recreation camps, public parks, and recreational campgrounds or camping parks as defined in RSA 216-I:1, VII. "Pool" shall not include any pool, spa, or other pool that serves 3 or fewer living units and is used only by the residents of the living units and their guests, and does not include baptismal fonts or similar structures owned by a religious organization and used for religious rituals.

(b) "Public bathing facility" means a pool that is operated by or for any governmental subdivision, public or private corporation, partnership, association, or educational institution and that is open to the public, members, or students, whether for a fee or free.

II.(a) No person shall construct or install, operate or maintain an artificial swimming pool or bathing place open to and used by the public, or as a part of a business venture, or a public bathing facility unless the construction, design and physical specifications of such pool or bathing place have received prior approval by from the department. The department shall charge a non-refundable registration fee of \$100 for a pool 400 square feet in area and an additional \$25 for every additional 100 square feet. The fee shall be paid to the department upon submission of such plans for review. Fees collected under this paragraph shall be deposited in the public bathing facility program fund.

(b) No person shall operate or maintain a public bathing facility unless the facility is registered with the department under this section. The owner of a public bathing facility shall register the facility using a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.

(c) The owner of a public bathing facility that existed as of January 1, 2019 shall register within 60 days of the effective date of this provision. All other public bathing facilities shall register prior to initiating operations. The owner or operator of the facility shall report any changes in the information provided under subparagraph (b) within 10 days of the change.

(d) The registration required under this section shall be valid for the life of the facility. The owner shall notify the department in writing that the facility has closed within 30 days of the closure. The notice of closure shall include the date of such closure.

III. The commissioner shall adopt rules under RSA 541-A relative to safety standards to protect persons using said facilities. Nothing in this section shall be deemed to affect the powers of local health officers or the department of health and human services, with respect to nuisances.

IV. The department may take samples of the water of any such public bathing facility for analysis to determine compliance with water quality requirements. The costs of such sampling and analysis shall be paid by the owner or operator of such facility. The costs recovered for such sampling shall be deposited in the public bathing facility program fund. The costs recovered for analysis shall be consistent with the fee structure established in RSA 131:3-a and deposited as provided in RSA 131:3-a. Any municipality which establishes a program of sampling and analysis which is equivalent to the department's program shall not be subject to additional sampling and analysis by the department.

V. There is hereby established a public bathing facility program fund. This separate, nonlapsing fund shall be continually appropriated to the department and used to administer the public bathing facility program under this chapter. Fees collected by the department shall be deposited with the state treasurer to the credit of such fund and may be invested as provided by law. Interest received on such investment shall also be credited to the fund.

127 New Subparagraph; Public Bathing Facility Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 343 the following new subparagraph:

(344) Moneys deposited in the public bathing facility program fund under RSA 485-A:26.

128 New Section; Public Bathing Facility Compliance Self-Certification. Amend RSA 485-A by inserting after section 26 the following new section:

485-A:26-a Public Bathing Facility Compliance Self-Certification.

I. The owner of a public bathing facility that is open for 9 months or more in a calendar year shall submit to the department, a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.

II. The owner of a public bathing facility that is open fewer than 9 months in a calendar year shall submit to the department, prior to opening a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.

III. The self-certifications required by paragraphs I and II shall be on a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.

IV.(a) The owner of a public bathing facility shall pay a non-refundable fee of \$250 per pool up to a maximum of \$1,500 per public bathing facility with each self-certification, to cover department expenses for conducting the self-certification program and hiring of program staff.

(b) If the self-certification fee is not paid within 30 days of the due date, a late fee shall accrue at the rate of \$50 per 3-month period or portion thereof that the fee is not paid. The commissioner may waive all or any portion of the late payment fee for good cause.

(c) Political subdivisions of the state shall be exempt from the fee for submitting a self-certification declaration, but not from the requirement to submit the self-certification.

V.(a) The owner of a public bathing facility that is open for 9 months or more in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification within 60 days of the effective date of this provision.

(b) The owner of a public bathing facility that is open fewer than 9 months in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification prior to initiating operations in 2020.

129 Public Bathing Facilities; Injunctions; Emergency Closures. RSA 485-A:27 is repealed and reenacted to read as follows:

485-A:27 Injunction; Emergency Closures.

I. Any person operating or maintaining a recreation camp, youth skill camp, or public swimming pool, or bathing place facility without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

II. Whenever the department determines that conditions at a public bathing facility jeopardize the health and safety of patrons of the facility, the department shall issue an emergency closure notice. The department shall apply the following procedure in determining whether to issue an emergency closure notice:

(a) The department shall perform an on-site inspection to determine whether each pool at the facility is in compliance with the following standards established in rules adopted by the commissioner pursuant to RSA 541-A:

(1) Bacteriological, chemical, and physical water quality standards; and

(2) Patron safety requirements relating to emergency response, emergency rescue equipment, first aid kits, suction outlet covers/grates, and security fencing.

(b) If the department determines that a pool at the facility is not in compliance with the standards and safety requirements specified in subparagraph (a) and that the deficiencies threaten the health or safety of patrons of the facility, the department shall issue an emergency closure notice to the owner of the facility or the owner's on-site representative. The notice shall identify which pool must be closed and specify the reason for the emergency closure.

(c) Upon receipt of an emergency closure notice, the owner shall immediately close the identified pool. The owner shall not reopen the pool until each deficiency cited in the emergency closure notice has been corrected and the department has confirmed the corrections.

(d) If an owner believes an emergency closure notice has been issued in error, the owner shall notify the department in writing, which may be sent by email, fax, United States Postal Service delivery, or private delivery. The written notice shall identify each reason why the owner or operator believes the emergency closure notice is not appropriate. The department shall provide the owner or operator with an opportunity for an adjudicative hearing within 10 days of receiving the written notice.

130 New Section; Public Bathing Facilities; Certified Operators Required. Amend RSA 485-A by inserting after section 27 the following new section:

485-A:27-a Certified Operator Training Required.

I. Effective January 1, 2022, a public bathing facility shall be operated only under the supervision of an individual who has successfully completed a the certified pool and spa operator certification program offered by the Association of Pool and Spa Professionals, National Swimming Pool Foundation, or other pool and spa operator certification programs approved by the department.

II.(a) By January 1, 2022, each owner of a public bathing facility that is open for 9 months or more in a calendar year shall submit to the department the name and daytime telephone number including area code of each certified pool operator engaged by the owner to supervise the pool at the facility. The submission of this information shall occur as part of the self-certification in RSA 485-A:26-a.

(b) For facilities that begin operation after January 1, 2022, the information in subparagraph (a) shall be submitted prior to beginning operation.

131 Repeal. The following are repealed:

I. RSA 6:12, I(b)(295), relative to the dam maintenance revolving loan fund.

II. RSA 482:55-a, relative to the dam maintenance revolving loan fund. Any funds remaining in the dam maintenance revolving loan fund shall be credited to the dam maintenance fund established in RSA 482:55.

III. RSA 482:89, VI, relative to the deposit of proceeds from penalties into the dam maintenance revolving loan fund.

132 Terrain Alteration; Modify Reporting Requirements. Amend RSA 485-A:17, II-c to read as follows:

II-c. ~~[Beginning October 1, 2007 and each fiscal quarter thereafter, the]~~ **The** department shall submit a ~~[quarterly]~~ **biennial** report to the house and senate finance committees, the house resources, recreation, and ~~[economic]~~ development committee, and the senate energy~~[-environment,]~~ and ~~[economic development committee]~~ **natural resources committee** relative to administration of the terrain alteration review program.

133 State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b)(315) to read as follows:

(315) Moneys deposited into the recreation camp and youth skill camp fund established in ~~[RSA 485-A:24-a]~~ **RSA 170-E:57**.

134 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(g) to read as follows:

(g) "School-age program" means a child day care agency providing child day care for up to 5 hours per school day, before or after, or before and after, regular school hours, and all day during school holidays and vacations, and which is not licensed under ~~[RSA 149]~~ **RSA 170-E:56**, for 6 or more children who are 4 years and 8 months of age or older. The number of children shall include all children present during the period of the program, including those children related to the caregiver.

135 New Subdivision; Recreation Camp Licensing. Amend RSA 170-E by inserting after section 52 the following new subdivision:

Recreation Camp Licensing

170-E:53 Purpose. The purpose of this subdivision is to provide for the licensing of recreation camps and certification of criminal background checks for youth skill camps.

170-E:54 Rulemaking.

I. The commissioner shall adopt rules under RSA 541-A relative to:

(a) Issuance of licenses to recreation camp operators under RSA 170-E:56, I.

(b) Requirements for performing criminal background checks at youth skill camps and certifying acceptable results as required under RSA 170-E:56 and establishing appropriate sanctions and penalties for failing to perform the required background checks.

II. The commissioner shall adopt all other necessary rules under RSA 541-A, relative to public health and safety issues for the protection of persons attending recreation camps regulated under RSA 170-E:56, I.

170-E:55 Definitions.

I. "Recreation camp" means any place set apart for recreational purposes for boys and girls. It shall not apply to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.

II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

170-E:56 Recreation Camp License; Youth Skill Camp Certification of Criminal Background Check.

I. No person shall for profit or for charitable purposes operate any recreation camp, as defined in RSA 170-E:55, I, designed or intended as a vacation or recreation resort, without a license issued by the department. Such license shall be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be \$200 which shall be paid into the recreation camp and youth skill camp fund established in RSA 170-E:57.

II.(a) No person or entity shall for profit or for charitable purposes operate any youth skill camp, as defined in RSA 170-E:55, II without maintaining an appropriate policy regarding background checks for camp owners, employees and volunteers who may be left alone with any child or children. Certification of background checks shall be made to the department demonstrating that no individual has a criminal conviction for any offense involving:

(1) Causing or threatening direct physical injury to any individual; or

(2) Causing or threatening harm of any nature to any child or children.

(b) Any person or entity required to perform background checks and provide certification to the department pursuant to subparagraph (a) shall pay a fee of \$25 to the department. All such fees collected by the department shall be deposited into the recreation camp and youth skill camp fund established in RSA 170-E:57.

(c) Subparagraphs (a) and (b) shall not apply to any person or entity which owns property used to operate a youth skill camp or any buildings or structures on such property used in the operation of a youth skill camp, provided such person or entity obtains written certification signed by the youth skill camp operator stating that background checks in accordance with this paragraph have been completed.

(d) Nothing in this section shall preclude more stringent requirements for background checks on the part of camp owners, directors, or operators.

(e) Such policies shall be made available to the department and shall include the frequency of the background checks and the sources used to conduct the background checks. The department shall provide information on each youth skill camp's policy on the department's website.

(f) If an employee or volunteer has been the subject of a background check performed by another person or entity within 12 months, the previous background check may, with the signed and written consent of the employee or volunteer, be shared with the operator of the youth skill camp and may be used to satisfy the requirements of this paragraph, notwithstanding any other law providing for the confidentiality of such information.

170-E:57 Recreation Camp and Youth Skill Camp Fund. There is established the recreation camp and youth skills camp fund. This fund shall be nonlapsing and continually appropriated to the commissioner of the department of health and human services, for the purpose of paying costs associated with administering the provisions of this subdivision.

170-E:58 Statement of Health for Recreational Camps. Notwithstanding any law or rule to the contrary, any physical examination which is required before a child may enter a recreational camp may be conducted by a physician, an advance practice registered nurse, or a physician assistant.

170-E:59 Possession and Use of Epinephrine Auto-Injectors at Recreation Camps. A recreation camp shall permit a child with severe, potentially life-threatening allergies to possess and use an epinephrine auto-injector, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

(a) The child's name.

(b) The name and signature of the licensed prescriber and business and emergency numbers.

- (c) The name, route, and dosage of medication.
- (d) The frequency and time of medication administration or assistance.
- (e) The date of the order.
- (f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.
- (g) Specific recommendations for administration.
- (h) Any special side effects, contraindications, and adverse reactions to be observed.
- (i) The name of each required medication.
- (j) Any severe adverse reactions that may occur to another child, for whom the epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an epinephrine auto-injector in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the epinephrine auto-injector at the camp or at any camp-sponsored activity, event, or program.

V. In this section, "physician" means any physician or health practitioner with the authority to write prescriptions.

170-E:60 Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-injector, the child shall report such use to the nurse or another camp employee to enable the nurse or camp employee to provide appropriate follow-up care.

170-E:61 Availability of Epinephrine Auto-Injector. The recreational camp nurse or, if a nurse is not assigned to the camp, the recreational camp administrator shall maintain for the use of a child with severe allergies at least one epinephrine auto-injector, provided by the child or the child's parent or guardian, in the nurse's office or in a similarly accessible location.

170-E:62 Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an epinephrine auto-injector if the provisions of RSA 170-E:59 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an epinephrine auto-injector by a child.

170-E:63 Possession and Use of Asthma Inhalers at Recreation Camps. A recreation camp shall permit a child to possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

- (a) The child's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route, and dosage of medication.
- (d) The frequency and time of medication administration or assistance.
- (e) The date of the order.
- (f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.
- (g) Specific recommendations for administration.
- (h) Any special side effects, contraindications, and adverse reactions to be observed.
- (i) The name of each required medication.
- (j) At least one emergency telephone number for contacting the parent or guardian.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an asthma inhaler in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the inhaler at the camp or at any camp sponsored activity, event, or program.

V. In this section, "physician" includes any physician or health practitioner with the authority to write prescriptions.

170-E:64 Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an inhaler if the provisions of RSA 170-E:63 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an asthma inhaler by a child.

170-E:65 Injunction. Any person operating or maintaining a recreation camp or youth skill camp without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

170-E:66 Penalty; Administrative Fines.

I. Whoever violates any of the provisions of this subdivision, or rules adopted under this subdivision shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

II. The commissioner, after notice and hearing, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this subdivision, any rule adopted under this subdivision, or any license or approval issued under this subdivision. Re-hearings and appeals from a decision of the commissioner under this paragraph shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties under this chapter. The proceeds of administrative fines levied pursuant to this paragraph shall be deposited in the general fund. The commissioner shall adopt rules, under RSA 541-A, relative to:

(a) A schedule of administrative fines which may be imposed under this paragraph; and

(b) Procedures for notice and hearing prior to the imposition of an administrative fine.

136 Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places. Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

Safety Regulations for ~~[Camps;]~~ Pools~~;~~ and Bathing Places

137 Water Pollution and Waste Disposal; Injunction. Amend RSA 485-A:27 to read as follows:

485-A:27 Injunction. Any person operating or maintaining a ~~[recreation camp, youth skill camp,]~~ public swimming pool~~;~~ or bathing place without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

138 Repeal. The following are repealed:

I. RSA 485-A:6, IX, relative to rulemaking for camp licenses and camp safety standards.

II. RSA 485-A:23, relative to safety regulations for camps, pools, and bathing places; definitions.

III. RSA 485-A:24, relative to safety regulations for camps, pools, and bathing places; recreation camp license; youth skill camp certification of criminal background check.

IV. RSA 485-A:24-a, relative to safety regulations for camps, pools, and bathing places; recreation camp and youth skill camp fund.

V. RSA 485-A:25, relative to safety regulations for camps, pools, and bathing places; rulemaking.

VI. RSA 485-A:25-a, relative to safety regulations for camps, pools, and bathing places; statement of health for recreational camps.

VII. RSA 485-A:25-b, relative to safety regulations for camps, pools, and bathing places; possession and use of epinephrine auto-injectors at recreation camps.

VIII. RSA 485-A:25-c, relative to safety regulations for camps, pools, and bathing places; use of epinephrine auto-injector; availability of epinephrine auto-injector.

IX. RSA 485-A:25-d, relative to safety regulations for camps, pools, and bathing places; availability of epinephrine auto-injector.

X. RSA 485-A:25-e, relative to safety regulations for camps, pools, and bathing places; immunity.

XI. RSA 485-A:25-f, relative to safety regulations for camps, pools, and bathing places; possession and use of asthma inhalers at recreation camps.

XII. RSA 485-A:25-g, relative to safety regulations for camps, pools, and bathing places; immunity.

139 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 216-I:1, VII to read as follows:

VII. "Recreational campground or camping park" means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in ~~[RSA 485-A:23]~~ **RSA 170-E:55, I.**

140 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 275:35 to read as follows:

IX. Employees of a recreation camp or a youth skill camp licensed pursuant to ~~[RSA 485-A:24]~~ **RSA 170-E:56.**

141 Department of Military Affairs and Veterans Services. Amend the chapter heading of RSA 110-B to read as follows:

~~[THE MILITIA]~~ **DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES**

142 Department of Military Affairs and Veterans Services; The Militia. Amend RSA 110-B:1 to read as follows:

110-B:1 **Department of Military Affairs and Veterans Services.**

I. The department shall consist of the militia, which shall include the army national guard, air national guard, the inactive national guard, the state guard, and the unorganized militia, and veterans services, which shall include the division of veterans services, the state veterans cemetery, the division of community based military programs, the veterans council, and the military leadership team.

II. The department shall be led by an adjutant general.

110-B:1-a Composition of the Militia.

I. The militia shall be divided into 3 classes, namely the national guard, the state guard, and the unorganized militia.

II. The national guard shall consist of an army national guard, an air national guard, and an inactive national guard. As used in this chapter, the term “national guard” shall mean and refer to the army national guard and the air national guard unless otherwise indicated.

III. The state guard shall consist of those persons serving in accordance with the provisions of RSA 111.

IV. The unorganized militia shall consist of all able-bodied residents of the state who are 18 years of age or older, who are, or have declared their intention to become, citizens of the United States, and who are not serving in the national guard or the state guard.

V. When authorized by the laws and regulations of the United States, there shall be an additional section of the state guard to be known as the New Hampshire naval militia.

143 The Adjutant General. Amend RSA 110-B:8, II and III to read as follows:

II. The adjutant general shall be the chief of staff to the governor and shall be the executive head of the ~~adjutant general's~~ department **of military affairs and veterans services**. The adjutant general may perform any act authorized by this chapter or by the regulations issued pursuant thereto through or with the aid of such officers of the national guard or other personnel as the adjutant general may designate. The adjutant general shall exercise and perform all powers, functions and duties which are or may be imposed by the laws and regulations of the United States. It shall be the duty of the adjutant general to direct the planning and employment of the forces of the national guard in carrying out their state military mission; to establish unified command of state forces whenever they shall be jointly engaged; to submit such written reports to the governor as the governor may prescribe; and to perform such other duties as the governor may direct. Whenever the governor and those who would act in succession to the governor under the constitution and laws of the state shall be unable to perform the duties of commander-in-chief, the adjutant general shall command the militia.

III. The adjutant general is authorized and empowered, subject to the approval of the governor and council, to contract with any person or private or public agency to provide group life or disability insurance coverage for members of the national guard, while on active state duty, within the limits of appropriations made for the national guard.

IV. The adjutant general shall advocate for and promote the welfare of military service members, veterans, and their families. The adjutant general shall enhance, coordinate, and oversee the benefits and services offered by organizations within the state of New Hampshire and direct veterans to appropriate benefits and services offered by such organizations. The department of military affairs and veterans services shall serve as a clearinghouse for research, data, and analysis, to initiate and support public education and awareness campaigns. The adjutant general shall serve as a liaison between the federal government and the governor on issues relevant to the department's mission, and represent the department at various state and national conventions, conferences, and public functions and provide supervision to the department public relations program.

144 Deputy Adjutant General. Amend RSA 110-B:8-b, I-IV to read as follows:

I. Assume full responsibility for the ~~adjutant general's~~ department **of military affairs and veterans services** in the absence of the adjutant general.

II. Assist the adjutant general to implement the department's duties and responsibilities.

III. Serve as principal liaison to senior military officials, various state and federal officials, the legislature, local governments, and community groups.

IV. Provide overall guidance and direction for state operations including business administration, facilities management, **division of veterans services, the division of community based military programs** and the state veterans cemetery.

145 New Subdivision; Department of Military Affairs and Veterans Services; Veterans Services. Amend RSA 110-B by inserting after section 82 the following new subdivision:

Division of Veterans Services

110-B:83 Division of Veterans Services.

I. The division of veterans services shall be divided into 3 classes, namely the division of veterans services, the state veterans cemetery and the division of community based military programs. Additionally there will be 2 advisory bodies, namely the veterans council and the military leadership team.

II. The division of veterans services shall assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations.

III. The state veterans cemetery shall provide and maintain a dignified final-resting place to honor all veterans and eligible dependents which expresses the state's gratitude for their service to the country.

IV. The division of community based military programs shall collaborate, coordinate, and communicate with military and civilian provider groups in the delivery of services to New Hampshire veterans, service members, and their families.

V. The military leadership team and veterans council shall serve as advisory bodies and shall provide advice and guidance to the adjutant general regarding the delivery of services to veterans and military service members and their families.

110-B:84 Division of Veterans Services. The division of veterans services under the supervision of a director of veterans services shall:

I. Assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations. The division shall employ such assistance as may be necessary, within the limits of the appropriation made therefor, subject to the rules of the state division of personnel.

II. Biennially, beginning July 1, 2019, publish and distribute a state veteran's handbook which shall include the following information:

(a) Points of contact for all federal, state, local, and nonprofit veterans agencies, departments, councils, hospitals, clinics, and other organizations offering services, benefits, and programs to New Hampshire veterans, including addresses, telephone numbers, and e-mail addresses.

(b) A description of the services, benefits, and programs offered by each entity listed under subparagraph (a).

III. Accept and expend for purposes of publishing and distributing the state veterans handbook, any donations, grants, bequests, and contributions which become available for such purposes.

110-B:85 Director of the Division of Veterans Services.

I. The adjutant general shall, with the approval of the governor and council, appoint a director of the division of veterans services, who shall be a veteran as defined in RSA 21:50.

II. The director shall:

(a) Supervise the activities of a statewide service delivery structure which assists veterans and family members in identifying eligibility for veterans benefits, filing claims, coordinating benefits with other state and federal agencies, and reviewing claims decisions for appeals or waivers of unfavorable decisions.

(b) Identify and develop legislative proposals to improve delivery of services, review and monitor legislation introduced by others, testify at hearings, and prepare legislative fiscal note work sheets. The director shall coordinate, implement, and administer programs mandated by the legislature.

(c) Prepare the agency budget and administer and monitor expenditures for the division of veterans services.

(d) Develop and coordinate agency programs in conjunction with the United States Department of Veterans Affairs as well as other federal, state, local, and private organizations.

(e) Represent the adjutant general at various state and national conventions, conferences, and public functions and provide supervision to the division of veterans services' public relations program.

(f) Perform such other duties as the adjutant general shall determine.

110-B:86 Copies of Public Records. When a copy of any public record is required by the Department of Veterans Affairs to be used in determining the eligibility of any person to participate in benefits made available by the United States Department of Veterans Affairs, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his or her behalf or the authorized representative of the United States Department of Veterans Affairs with a certified copy of such record; provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees a charge for services hereunder shall be made and the town shall reimburse the clerk for the charges.

110-B:87 Donations and Bequests. The division of veterans services may receive, on behalf of the state, all donations and bequests that may be made to support the delivery of state office of veterans services programs.

110-B:88 Division of Community Based Military Programs. The division of community based military programs, under the supervision of an administrator of community based military programs shall facilitate military and civilian partnerships by collaborating, coordinating, and communicating with military and civilian provider groups in the delivery of services to New Hampshire veterans, service members, and their families. The administrator shall:

I. Develop and implement innovative, effective, and sustainable provider engagement projects to increase education, outreach, and engagement with military-access resources.

II. Integrate military and civilian community and coalition networks and strengthen military-civilian community supports by integrating those supports into civilian structures.

III. Advocate for federal and state funding to target system changes to improve services.

IV. Ensure cost efficiency through decreased overlap, service redundancy and increased service fidelity.

V. Develop and provide oversight for New Hampshire's care coordination, including services and supports addressing substance misuse, homelessness, suicide prevention, mental health, sexual military trauma, unemployment, domestic violence, education, and legal support.

VI. Authorize, evaluate, and monitor the administration of federal and state grants.

VII. Initiate and facilitate state planning processes to improve access, navigation, and coordination of military-civilian services and support.

VIII. Compile and analyze program statistics and metrics to evaluate the effectiveness of the system of care, initiatives, and special projects, including the efforts of legislative, statewide, and community coalitions across the state.

110-B:89 State Veterans Council Established.

I. There shall be a state veterans council of 4 members to be appointed by the governor and council, 3 of whom shall be veterans as defined by RSA 21:50. The fourth member shall be a family member of a veteran or family member of a currently serving member of the armed forces. All council members shall be citizens of New Hampshire. Of the first appointments of veterans under this section one shall be appointed for a term of 3 years, one for a term of 2 years, one for a term of one year and thereafter each shall be appointed for a term of 3 years. The family member shall be appointed for a term of 3 years. Each member of the council shall hold office until a successor is appointed and qualified. Any vacancy in the council shall be filled by the governor and council for the unexpired term.

II. The members of the council shall meet not less than semi-annually to review activities of the division of veterans services and provide guidance to and make recommendations for improvement on the adequacy and delivery of veterans programs to the adjutant general. The adjutant general may designate one of the members to serve as liaison to the state veterans advisory committee.

110-B:90 Military Leadership Team. There is hereby established a military leadership team which shall serve in an advisory capacity and shall provide advice and guidance to the adjutant general regarding the delivery of services to veterans and military service members in New Hampshire. The military leadership team shall choose a chairman, vice-chairman, and a secretary from their membership. The team may, by a majority vote of its members, adopt bylaws governing the management and operation of the team. The military leadership team shall consist of the following members:

I. The adjutant general, or designee.

II. The director of the division of veterans services, or designee.

III. The members of the veterans council.

IV. The administrator of the division of community based military programs.

V. Representatives of organizations which provide services to veterans and military service members in New Hampshire, appointed by the adjutant general.

VI. Members of the private sector who have an interest in serving service members, veterans and their families, appointed by the adjutant general.

VII. A family member of veteran or currently serving member of the armed forces, appointed by the adjutant general.

146 Aid for Veterans' Programs. Amend RSA 115-A:2, VII to read as follows:

VII. "[Office] **Division** of veterans services" means the [state-office] **division** of veterans services established pursuant to [RSA 115] **RSA 110-B:83**.

147 Replace Term. Replace "office of veterans services" or "state office of veterans services" with "division of veterans services" in the following RSA sections: RSA 21:50, I(b)(24); 72:29, VII; 94:1-a, I(b), Grade CC; 115-A:2, VII; 115-A:10; 115-A:14; 115-A:17; 115-A:21; 115-B:5; 115-D:2, I(e); 261-C:2, III; 261-C:3; 261-C:4, II; 261-C:7; 358-A:2, XVII; 465:3; 465:5; 465:11; 651:4-b, II(a).

148 Repeal. RSA 115, relative to the state office of veterans services, is repealed.

149 Sale of Property; National Guard Armory in Berlin. The adjutant general and the department of military affairs and veterans services are authorized to offer for sale the national guard armory land and buildings in the city of Berlin. The adjutant general and the department shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40. All proceeds from the sale may be used for the purchase of a new armory in general proximity to the current armory in Berlin, and any proceeds from the sale that are not used for such a purchase shall lapse to the general fund.

150 Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend RSA 12-O:18, I to read as follows:

I. The department of business and economic affairs shall be responsible for the staffing of rest areas and welcome centers along the state's highways. There is established in the department a bureau of visitor service **within the office of the commissioner** to administer this function. The commissioner may consult with the local chambers of commerce relative to said function, and shall have the authority to enter into contracts with private or public entities for said function as the commissioner deems appropriate.

151 Labor; Workers' Compensation; Safety Provisions; Administrative Penalty. Amend RSA 281-A:64, VIII to read as follows:

VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss

management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the ~~[general fund]~~ **department of labor restricted fund established pursuant to RSA 273:1-b.**

152 Labor; Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(d) to read as follows:

(d) If the commissioner finds that an employer has misrepresented the relationship between the employer and the person providing services, the commissioner may assess a civil penalty of up to \$2,500; in addition, such employer may be assessed a civil penalty of \$100 per employee for each day of noncompliance. The fines may be assessed from the first day of the infraction but not to exceed one year. Notwithstanding any provision of law to the contrary, any person with control or responsibility over decisions to disburse funds and salaries and who knowingly violates the provisions of this subparagraph shall be held personally liable for payments of fines. All funds collected under this subparagraph shall be ~~[continually appropriated and deposited into a nonlapsing workers' compensation fraud fund dedicated to the investigation and compliance activities required by this section and related sections pertaining to labor and insurance law.]~~ **deposited into the department of labor restricted fund established pursuant to RSA 273:1-b.** The commissioner of labor shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.

153 Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation fraud fund, is repealed.

154 Administration of Transportation Laws; Certification of Current Workers' Compensation Coverage Required. Amend RSA 228:4-b, IV to read as follows:

IV. All funds collected under this section shall be deposited into the ~~[general fund]~~ **department of labor restricted fund established pursuant to RSA 273:1-b.**

155 New Subdivision; Governor's Finish Line New Hampshire Scholarship Program. Amend RSA 188-F by inserting after section 68 the following new subdivision:

Governor's Finish Line New Hampshire Scholarship Program

188-F:69 Governor's Finish Line New Hampshire Scholarship Program.

I. The community college system of New Hampshire may establish and administer the governor's finish line New Hampshire scholarship program with funds appropriated from the general court. The program shall provide tuition grants, after federal grants and other aid, for eligible students who have already completed 30 credits.

II. The program shall be open to any student attending an institution within the community college system who is over 25 years of age and is enrolled in a field which the community college system has identified as being in high demand by employers in the state.

III. The community college system shall establish procedures for the administration of the program, identification of high demand fields of employment, and the criteria by which a student shall qualify and be selected for a scholarship, provided that such procedures and criteria shall be consistent with this section.

156 Program Transferred. The governor's scholarship program established in the office of strategic initiatives pursuant to RSA 4-C:31-35 is hereby transferred to the department of education. Any administrative rules for the governor's scholarship program shall continue in effect and shall be enforced by the commissioner of the department of education until such rules expire or are repealed or amended in accordance with applicable law.

157 New Subdivision; Governor's Scholarship Program. Amend RSA 21-N by inserting after section 12 the following new subdivision:

Governor's Scholarship Program

21-N:13 Definitions. In this subdivision:

I. "Postsecondary educational institution or training program" means any institution within the university system of New Hampshire as defined in RSA 187-A, any institution within the community college system of New Hampshire as defined in RSA 188-F, any private postsecondary institution approved to operate in this state, or any postsecondary training or certificate program within this state that is approved by the department, and is a not-for-profit institution that is eligible to receive federal Title IV funds.

II. "Department" means the department of education.

III. "Program" means the governor's scholarship program.

21-N:14 Program Established. There is hereby established the governor's scholarship program in the department of education which shall be administered by the department. The program shall provide scholarships which a recipient shall apply to the costs of an education at a postsecondary educational institution or training program. The department shall determine any additional criteria regarding how and when scholarship funds shall be distributed, and may elect to distribute funds to an individual in a lump sum or over a period of months or years.

21-N:15 Eligibility.

I. Any person who meets the following requirements shall be eligible for a scholarship:

(a) A person shall meet the residency requirements of RSA 193:12, and be a graduate of a high school, public academy, chartered public school, or a high school-level home education program as defined in RSA 193-A, have completed at least 3 years of high school in this state, be pursuing a certificate, associate, or bachelor degree at a public or private postsecondary educational institution in this state, and be eligible to receive a Pell grant; or

(b) A person shall be a graduate of a preparatory high school outside of this state while a dependent of a parent or legal guardian who is a legal resident of this state and who has custody of the dependent, and be eligible to receive a Pell grant; or

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

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

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

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

21-N:16 Governor's Scholarship Fund Established.

I. There is hereby established in the state treasury the governor's scholarship fund which shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the benefit of eligible residents of the state pursuing programs of study or training at a postsecondary educational institution or training program within the state.

II. The comptroller shall credit to the fund any appropriations relating to the governor's scholarship program made to the department of education, division of educator support and higher education for each fiscal year. The state treasurer shall invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund.

III. All moneys in the fund shall be nonlapsing.

IV. The department may institute promotional programs and solicit and receive gifts or donations of any kind for the purpose of supporting educational scholarships from the fund. The department may accept gifts to the fund including, but not limited to, cash gifts, and real or personal property, without the approval of the governor and council.

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

21-N:17 Procedures.

I. All scholarship funds shall be distributed by the postsecondary educational institution. The institution shall include the scholarship in the student's financial aid package and may seek subsequent reimbursement. The state shall provide the reimbursements twice per year to each institution for the number of eligible students enrolled in the current semester or term who are receiving a scholarship in the amount of \$1,000. An institution shall submit the list of scholarship students to the department or its designee no later than November 30 and April 30 of each academic year, and shall be reimbursed within 30 days of those submittal dates.

II. An eligible person may receive a scholarship in the amount of \$1,000 per year provided he or she maintains at least a 2.0 grade point average. An eligible person who earned the New Hampshire scholar designation at the time of high school graduation shall be eligible to receive a scholarship in the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point average. In all cases the postsecondary educational institution shall agree not to reduce any merit or need based grant aid that would have otherwise been provided to the eligible person. An eligible person may receive an annual scholarship for a maximum of 4 years.

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

IV. The department shall determine procedures for distributing scholarship funds to an eligible person enrolled in an approved training program.

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

(336) Moneys deposited into the governor's scholarship fund established in [RSA 4-C:34] **RSA 21-N:16**.

159 Repeal; Governor's Scholarship Program. RSA 4-C:31-35, relative to the governor's scholarship program, are repealed.

160 New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike Funded Real Estate. Amend RSA 4 by inserting after section 39-e the following new section:

4:39-f Bulk Disposal of Highway or Turnpike Funded Real Estate. Notwithstanding RSA 4:39-c, the bulk disposal of real estate purchased with state or federal highway funds, or both, or with turnpike funds shall occur as follows:

I. The commissioner of the department of transportation may recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds. The request for bulk disposal shall be presented for review and approval by the long range capital planning and utilization committee before submission to the governor and council for approval. Upon determination that the property is no longer needed by the state, the governor and council shall first offer it to the government of the town, city, or county in which the property is located. If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property.

II. Sales of real property under this section shall be at not less than current market value of the subject property, as may be determined by the governor and council.

III. The proceeds due back to the department of transportation from a sale, conveyance, or transfer under this section shall be credited as restricted revenue to the highway fund, or the turnpike fund, or whichever fund provided money for the original purchase. The funds shall be nonlapsing and continually appropriated to the department to be used for right-of-way property management, maintenance, operations, or betterment of state roads and bridges.

IV. The commissioner of the department of transportation shall, at least once annually, report to the long range capital planning and utilization committee on the status of all real estate previously approved under this section.

V. As used in this section "bulk disposal" means multiple properties within the department of transportation's real estate inventory, which are valued and presented to the long range capital planning and utilization committee as a whole for review and approval to be sold to multiple buyers.

161 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, the president of the senate, members of the senate, the speaker of the house of representatives, members of the house of representatives, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, **and** any ambassador or member of the foreign diplomatic corps~~], and members of the Maine-New Hampshire Interstate Bridge Authority]~~. The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor's council whose plates shall have their council district numbers embossed on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers embossed on them unless the president of the senate, for members of the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of official cover plates to any person. Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.

162 Repeal; Maine-New Hampshire Interstate Bridge Authority. The following are repealed:

I. RSA 234:43-66, relative to the Maine-New Hampshire Interstate Bridge Authority and the Portsmouth-Kittery Bridge, also known as the Sarah Mildred Long Bridge.

II. RSA 234:67-69, relative to the Sarah Mildred Long Bridge.

III. RSA 100-A:3, VIII, relative to New Hampshire retirement system membership for employees of the Maine-New Hampshire Interstate Bridge Authority.

163 Executive Branch Code of Ethics; Complaints. Amend RSA 21-G:31, VI to read as follows:

VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths. Such subpoena powers may be exercised for the committee by the chairperson or legal counsel to the committee. The fees for witnesses ~~[shall be consistent with RSA 516:16 and]~~ shall be borne by the committee or the party requesting the subpoena.

164 Insurance Holding Companies; Examination. Amend RSA 401-B:6, V to read as follows:

V. Compelling Production. In the event the insurer fails to comply with an order, the commissioner shall have the power to examine the affiliates to obtain the information. The commissioner shall also have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the commissioner may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in RSA 516:13[;] **and** RSA 516:14[; ~~and RSA 516:16~~], which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by, the company being examined.

165 Payment of Witnesses in Criminal Cases. Amend RSA 592-A:12 to read as follows:

592-A:12 ~~[Payment of]~~ Witnesses in Criminal Cases. Any person who attends any court for the state in criminal cases pursuant to subpoena ~~[shall be paid the witness fees provided by RSA 516:16. Any such person]~~ shall sign a witness log, which shall be available in the office of the clerk of court, on which the individual shall provide the following information: name, mailing address, and the name of the case for which the person was subpoenaed. The prosecuting agency shall review the log each day and certify that each individual appeared as indicated on the log. ~~[The attorney general shall pay all witness fees to all such persons who are entitled to such fees.]~~

166 Parole Revocation. Amend RSA 651-A:17 to read as follows:

651-A:17 Parole Revocation. Any parolee arrested under RSA 651-A:15-a shall be entitled to a hearing before the board within 45 days, in addition to any preliminary hearing which is required under RSA 504-A:5. The parolee shall have the right to appear and be heard at the revocation hearing. The board shall have power to subpoena witnesses~~[, pay said witnesses such fees and expenses as allowed under RSA 516:16,]~~ and administer oaths in any proceeding or examination instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda, papers or tangible objects of any kind. If the board, after a hearing, finds that the parolee has violated the conditions of parole, violated the law, or associated with criminal companions and in its judgment should be returned to the custody of the commissioner of corrections, the board shall revoke the parole. A prisoner whose parole is revoked shall be recommitted to the custody of the commissioner of corrections. This provision shall not apply to a parolee who has accepted an option, offered by a probation/parole officer, to participate in an intermediate sanction program and has waived his or her right to counsel and to a preliminary hearing under RSA 504-A:5.

167 Arbitration of Disputes; Witnesses. Amend RSA 542:5 to read as follows:

542:5 Witnesses; Summoning; Compelling Attendance. When more than one arbitrator is agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all parties shall agree to proceed with the hearing with a less number. Any person may be summoned as provided in RSA 516:[] to attend before the arbitrators as a witness ~~[and the fees for such attendance shall be the same as the fees of witnesses in the superior court]~~. If any person or persons so summoned to testify shall refuse or neglect to attend, upon petition the court in and for the county in which such arbitrators are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner now provided in RSA 516.

168 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, II to read as follows:

II. The council shall have the power to subpoena witnesses and administer oaths in any hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of papers and records. ~~[Witnesses summoned before the council shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons shall have the same effect as though issued for appearance before such court.]~~

169 Alcoholic Beverages; Hearings and Investigations. Amend RSA 179:56, I to read as follows:

I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. ~~[Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such]~~ A summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

170 Repeal. The following are repealed:

I. RSA 21-J:26, relative to witness fees for witnesses summoned to appear before the commissioner of the department of revenue administration.

II. RSA 153:20, relative to witness fees for witnesses summoned to appear before the state fire marshal.

III. RSA 326-H:17, III, relative to witness fees for witnesses summoned before the board of dietitians.

IV. RSA 365:11, relative to witness fees for witnesses summoned before the public utilities commission.

V. RSA 516:16, relative to fees of witnesses for attendance and travel.

VI. RSA 516:16-a, relative to defaults and witness fees for law enforcement officers.

VII. RSA 665:13, relative to witness fees for witnesses summoned before the ballot law commission.

171 Granite Workforce. 2018, 342:3 through 342:8 are repealed and reenacted to read as follows:

342:3 Granite Workforce; Pilot Program Established.

I. The commissioner of the department of health and human services shall use allowable funds from the Temporary Assistance to Needy Families (TANF) program along with other available funds, including but not limited to, the job training fund established under RSA 282-A:138-a to create a network of assistance to remove barriers to work for eligible low income families as well as low income individuals and to provide subsidies to employers in high need areas, as determined by the department of employment security based upon workforce shortages. The funds shall be used to fund the granite workforce program, which shall operate as part of the New Hampshire granite advantage health care program established in RSA 126-AA. The program shall be jointly administered by the department of health and human services and the department of employment security. No cash assistance shall be provided to eligible participants through granite workforce.

II. To be eligible for granite workforce, applicants shall be enrolled in the New Hampshire granite advantage health care program.

III. Allowable funds from the TANF program shall only be used to provide services outlined herein and employment supports to individuals enrolled in the New Hampshire granite advantage health care program that are:

(a) Parents aged 19 through 64 responsible for a dependent child under the age of 18; or

(b) Childless adults between 19 and 24 years of age.

IV. Authorized funding from the job training program along with other available funds shall be used to provide services outlined herein and employment supports to individuals enrolled in the New Hampshire granite advantage health care program that are between 25 and 64 years of age.

V. An eligible recipient, participating in the granite workforce program, whose wages subsequently cause the household to exceed 138 percent of the federal poverty level shall continue to receive granite workforce program services as needed, including the subsidy for employers, provided the recipients wages do not cause the household to exceed 250 percent of the federal poverty level. After the second employer subsidy is paid on behalf of a granite workforce recipient, the recipient shall no longer be eligible for granite workforce services as long as household income exceeds 138 percent of the federal poverty level.

VI. The department of employment security shall determine eligibility and entry into the program, using nationally recognized assessment tools for vocational and job readiness assessments. Vocational assessments shall include educational needs, vocational interest, personal values, and aptitude. The department shall use the assessment results to work with the participant to produce a long term career plan for moving into the middle class and beyond.

VII. No person shall participate in the granite workforce program unless he or she is also enrolled in the New Hampshire granite advantage health care program, as established in RSA 126-AA.

VIII. Except as otherwise provided in paragraphs II, III, and IV regarding program eligibility, administrative rules governing the New Hampshire employment program, adopted under RSA 541-A, shall apply to the granite workforce pilot program.

342:4 Granite Workforce; Subsidies for Employers.

I. After 3 months of the employment of the participant in a paying job and receiving verification of the continued employment and wages from the employer, the department of employment security shall authorize payment to the employer a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000.

II. After 9 months of the continued employment of the participant in a paying job and receiving verification of the continued employment and wages from the employer, the department of employment security shall authorize payment to the employer a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000.

III. If an overpayment is made, the employer shall reimburse the department that amount upon being notified by the department.

342:5 Granite Workforce; Referral for Barriers to Employment.

I. The department of health and human services, in consultation with the department of employment security, shall issue a request for applications for community providers interested in offering case management services to participants with barriers to employment.

II. Participants shall be identified by the department of employment security using an assessment process that screens for barriers to employment including, but not limited to, transportation, child care, substance use, mental health, and domestic violence.

III. Thereafter, the department of employment security shall refer to community providers those individuals deemed needing assistance with removing barriers to employment. When child care is identified as a barrier to employment, the department of employment security or the community provider shall refer the individual to available child care service programs, including specifically the child care scholarship program administered by the department of health and human services.

IV. In addition to employer subsidies authorized under this section, TANF or other funds allocated to the granite workforce program shall be used to pay for other services that eliminate barriers to work as established through rulemaking.

342:6 Granite Workforce; Network of Education and Training.

I. If after the assessment conducted by the department of employment security additional job training, education, or skills development is necessary prior to job placement, the department of employment security shall address those needs by:

- (a) Referring individuals to training and apprenticeship opportunities offered by the community college system of New Hampshire;
- (b) Referring individuals to the department of business and economic affairs to utilize available training funds and support services;
- (c) Referring individuals to education and employment programs for youth available through the department of education; or
- (d) Referring individuals to training available through other colleges and training programs.

II. All industry specific skills and training will be provided for jobs in high need areas, as determined by the department of employment security based upon workforce shortages.

342:7 Granite Workforce; Job Placement. Upon determining the participant is job ready, the department of employment security shall place individuals into jobs with employers in high need areas, as determined by the department of employment security based upon workforce shortages. This includes, but is not limited to, high labor need jobs in the fields of healthcare, advanced manufacturing, construction/building trades, information technology, and hospitality. Training and job placement shall focus on:

I. Supporting health care/safety issues: training/jobs to combat the opioid crisis, including nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally, jobs to address long term care needs, home healthcare services, and expanding mental/behavioral health services.

II. Advanced manufacturing to meet employer needs: training/jobs that include computer aided drafting and design, electronic and mechanical engineering, precision welding, computer numerical controlled precision machining, robotics, and automation.

III. Construction/building trades to address critical infrastructure needs: training/jobs for building roads, bridges, municipality infrastructure, and ensuring safe drinking water.

IV. Information technology: training/jobs to allow businesses to excel in an ever increasing network dependent business environment.

V. Hospitality training/jobs to address the workforce shortage and support New Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers, campground workers, lift operators, state park workers, and amusement park workers.

342:8 Reporting Requirement; Measurement of Outcomes.

I. The department of health and human services shall prepare a report on the outcomes of the granite workforce program using appropriate standard common performance measures. Program partners, as a condition of participation, shall be required to provide the department with the relevant data. Metrics to be measured shall include, but are not limited to:

- (a) Degree of participation.
- (b) Progress with overcoming barriers.
- (c) Entry into employment.
- (d) Job retention.
- (e) Earnings gain.

(f) Movement within established federal poverty level measurements, including the Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire granite advantage health care program under RSA 126-AA.

- (g) Attainment of education or training, including credentials.

II. The report shall be issued to the speaker of the house of representatives, the president of the senate, the governor, the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program established under RSA 126-AA:4, and the state library on or before December 1, 2019.

172 Department of Natural and Cultural Resources; Exemption from Transfer Restrictions. Amend RSA 9:16-a, II-a(d) as follows:

(d) The following account units within the department of natural and cultural resources shall be exempt from the transfer restrictions in subparagraphs (a), (b), and (c): 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-3717, ~~and~~ 03-35-35-351510-3703, **and 03-35-35-351510-4016.**

173 Motor Vehicles; Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:

I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited ~~[as agency income]~~ **to the highway fund** and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the state treasurer to be credited and continually appropriated to the state general fund and to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 106-L:10. Fines shall be paid over to the state treasurer, and shall be credited ~~[as agency income by the department of safety]~~ **to the highway fund** within 14 days of their receipt ~~[and shall not lapse to the general fund until the second year of each biennium]~~.

174 Business Finance Authority Revenue Bonds; Additional State Guarantees. Amend RSA 162-I:9-b, I(a) to read as follows:

I.(a) The governor and council may award an unconditional state guarantee of the principal of and interest on bonds issued under this chapter. The full faith and credit of the state shall be pledged for any such guarantee, but the total amount of bonds guaranteed by the state under this section ~~[shall not exceed in the aggregate at any time \$10,000,000, plus interest, provided that such amount shall be increased to \$20,000,000 plus interest on January 1, 1993, to \$30,000,000 plus interest on January 1, 1994, to \$40,000,000 plus interest on January 1, 1995, and to \$50,000,000 plus interest on January 1, 1996. In addition, the amount of bonds guaranteed by the state under this section]~~ shall not cause the contingent credit limit under RSA 162-A:22 to be exceeded. The governor, with the advice and consent of the council, is authorized to draw his warrant for such sum as may be necessary out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form: The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest on the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

State Treasurer

175 Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the business finance authority, is repealed.

176 Business Finance Authority; Unified Contingent Credit Limit. 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, ~~[RSA 162-I:9-a,]~~ 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. ~~[After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for bonds guaranteed pursuant to RSA 162-I:9-a, and an amount not to exceed the remaining \$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA 162-I:9-a.]~~

177 Repeal. The following are repealed:

I. RSA 12-G:33, relative to submission of a comprehensive development plan by the Pease development authority.

II. RSA 12-G:35, relative to loans to Pease development authority to enable the authority to obtain matching funds.

178 Office of Professional Licensure and Certification; Fees. Amend RSA 310-A:1-e, I(b) to read as follows:

(b) There is hereby established the office of professional licensure and certification fund into which the fees collected under subparagraph (a) shall be deposited. ~~[The fund shall be a separate, nonlapsing fund, continually appropriated to the office for the purpose of paying all costs and salaries associated with the office]~~ **After paying all costs and salaries associated with the office, moneys in this fund shall lapse to the general fund at the close of each fiscal year.**

179 New Paragraphs; Department of Justice; Director of the Office of Victim/Witness Assistance. Amend RSA 21-M:3 by inserting after paragraph X the following new paragraphs:

XI. The attorney general, subject to the approval of the governor and council, may appoint a director of the office of victim/witness assistance, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of the office of victim/witness assistance may be removed only as provided by RSA 4:1.

XII. The attorney general, subject to the approval of the governor and council, may appoint a director of communications within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of communications may be removed only as provided by RSA 4:1.

180 Department of Justice; Office of Victim/Witness Assistance. Amend the introductory paragraph in RSA 21-M:8-b, II to read as follows:

II. There is hereby established within the criminal justice bureau of the department of justice, the office of victim/witness assistance. ***The office shall be supervised by the director of victim/witness assistance who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3, XI and who shall carry out the duties imposed by this section under the supervision of the attorney general and perform such other work as the attorney general may assign.*** The office shall provide information and services to victims and witnesses in criminal cases prosecuted by the attorney general and shall develop and coordinate a statewide victim/witness rights information program. The victim/witness rights information program shall:

181 New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraph:

IV.(a) To assist the attorney general in his or her duty to exercise general supervision of officer-involved use of deadly force investigations and to provide training to local law enforcement officers, the department of justice may hire an unclassified full-time investigator assigned the bureau, who shall work on officer-involved use of deadly force investigations.

(b) There is established within the department of justice an unclassified full-time investigator position for the purpose of working on officer-involved use of deadly force investigations as required in this paragraph. Notwithstanding RSA 14:14-c and RSA 94:1-d, the salary for the full-time investigator position shall be established as a labor grade BB pursuant to RSA 94:1-a, I(a).

182 Department of Justice; Position Reclassified and Established.

I. The position of administrator II-public/legislative information officer, position number 18030, within the department of justice shall be designated as an unclassified position.

II. There is established within the department of justice the unclassified position of director of communications. The salary of the director of communications 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. Upon completion of this action and appointment of the director of communications, position number 18030 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of communications. Funding shall be transferred into the proper unclassified expenditure class for the attorney 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 position of director of communications.

183 Department of Justice; Position Reclassified and Established.

I. The position of attorney III-assistant director of charitable trust, position number 10321, within the department of justice shall be designated as an unclassified position.

II. There is established within the department of justice the unclassified position of assistant attorney general. The salary of the assistant attorney general is established in RSA 94:1-a, I-c. Upon completion of this action and appointment of the assistant attorney general, position number 10321 shall be abolished to allow for the transition of its available appropriations into the unclassified position of assistant attorney general. Funding shall be transferred into the proper unclassified expenditure class for the charitable trust accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general's nomination for the unclassified position of assistant attorney general.

184 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.

I. For purposes of this section, "laid off" means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2019 and June 30, 2021, as a result of reorganization or downsizing of state government.

II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire.

III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2019 and June 30, 2021, to the director of the division of personnel within 10 days of the layoff.

185 Appropriation; State Treasurer; Municipal Aid. The sum of \$12,500,000 for the fiscal year ending June 30, 2021 is hereby appropriated to the state treasurer for the purpose of providing municipal aid to each city, town, and unincorporated place in the state. The treasurer shall distribute the municipal aid pursuant to the formula established in RSA 31-A:4, notwithstanding its suspension in this act, but without regard to annual appropriation and distribution requirements set forth therein, to each city, town, and unincorporated place in the state by September 1, 2020. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 31:95-b or any other provision of law no such additional municipal aid shall be considered unanticipated money from the state.

186 New Section; Community Development Fund for New Hampshire Established. Amend RSA 162-L by inserting after section 4 the following new section:

162-L:4-a Community Development Fund for New Hampshire. There is hereby established in the state treasury the community development fund for New Hampshire, which shall be kept distinct and separate from all other funds. All moneys in the fund shall be nonlapsing and continually appropriated to the community development finance authority. In addition to any state appropriations, the community development finance authority may except gifts, grants, and donations from other sources, including contributions and loans from businesses, for deposit into the fund. The fund shall be used to provide flexible loan capital for community development initiatives and for one-time capital infrastructure revitalization and strategic investments.

187 New Subparagraph; Dedicated Funds or Accounts; Community Development Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the community development fund for New Hampshire established in RSA 162-L:4-a.

188 Appropriation; Community Development Finance Authority; Community Development Fund for New Hampshire. There is hereby appropriated to the community development finance authority the sum of \$1,000,000 for the biennium ending June, 30 2021, for deposit in the community development fund for New Hampshire established in RSA 162-L:4-a. The governor is authorized to draw a warrant for such sum from any money in the treasury not otherwise appropriated.

189 State Aid Grant Program; Appropriation to Department of Environmental Services.

I. The sum of \$2,877,449 for the fiscal year ending June 30, 2020, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project completion dates on or before December 1, 2018. 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 \$2,815,482 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

190 Department of Justice; Victim/Witness Specialist Positions Reclassified and Established. The positions of victim/witness specialist position numbers 18674, 19419, 9T2817, and 9T2811, within the department of justice shall be designated as unclassified positions. There are hereby established within the department of justice 4 unclassified victim/witness specialist positions. The salary of the victim/witness specialist positions shall be determined after assessment and review of the appropriate temporary letter grade allocation for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointments to the unclassified positions, position numbers 18674, 19419, 9T2817, and 9T2811 shall be abolished to allow for the transition of the available appropriations to the unclassified positions. Funding shall be transferred into the proper unclassified expenditure class in the victim witness general accounting unit. The incumbents in the abolished classified positions shall be offered the opportunity to seek the attorney general's nomination for the unclassified victim/witness specialist positions.

191 New Paragraphs; Department of Justice; Criminal Justice Bureau; Victim/Witness Specialist Positions Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraphs:

IV. The attorney general, subject to the approval of the governor and council, may appoint permanent victim/witness specialists within the limits of the appropriation made for the appointments, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The victim/witness specialists may be removed only as provided by RSA 4:1.

V. The attorney general, subject to the approval of the governor and council, may appoint unclassified, full-time temporary victim/witness specialists within the federal appropriations made for the appointment, who shall hold office subject to continuation of the federal grant funds supporting the victims/witness program. Any vacancy shall be filled in the same manner as the original appointment. The victim/witness specialists may be removed only as provided by RSA 4:1, or if the federal appropriation no longer supports the positions.

192 New Paragraph; Department of Justice; Elections Attorney Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraph:

IV. There is established within the department of justice an unclassified full-time elections attorney. The salary of the elections attorney shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

193 Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended. Due to inadequate funding and staffing resources at the department of natural and cultural resources, the commissioner of the department of natural and cultural resources may suspend the requirements of RSA 227-C and RSA 12-A relative to curatorial responsibilities, for each year of the biennium ending June 30, 2021.

194 Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural Resources. Amend RSA 233-A:13 to read as follows:

233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected pursuant to RSA 270-E:5, II(d) and any other public access funds donated to the state shall be placed in this fund. [AH] Funds received under this section are continually appropriated to the fish and game department for the purposes of the statewide public boat access program established under this chapter, ***except for sufficient funds which are hereby appropriated to the department of natural and cultural resources for payment of principal and interest on bonds and notes for the Mount Sunapee state park beach boat ramp project.***

195 Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site. The sum of \$300,000 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of natural and cultural resources for the purpose of redevelopment and improvement projects at the Fort Stark historic site, including alleviating life safety issues that exist due to the type of buildings found at Fort Stark and their current condition, redeveloping the parking area by raising the grade to improve drainage and maximize capacity, providing historical interpretation and administrative rules that apply to the site, and aesthetically enhancing the site through landscape improvements including security lighting, benches, and hardscape. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196 Department of State; Archives and Records Management; Appointment of Director. Amend RSA 5:28 to read as follows:

5:28 Appointment of Director. The secretary of state, with the approval of governor and council, shall appoint the director of the division of archives and records management, who shall be known as the state archivist and who shall be an unclassified state employee. The director shall have a minimum of a master's degree in library science [or], history, ***or equivalent*** or 10 years prior experience as an archivist or experience in a related field. The term of office for the state archivist shall be for 4 years. Any vacancy shall be filled for the unexpired term. The salary of the state archivist shall be as specified in RSA 94:1-a.

197 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, I-III to read as follows:

I. There is established in the office of the state treasurer a nonlapsing fund to be known as the election fund which shall be kept distinct and separate from all other funds. The election fund is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law 107-252 ***and the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141, hereafter referred to as the "2018 Election Reform Program"***.

II. The treasurer shall deposit in the election fund all monies received by the state pursuant to the Help America Vote Act of 2002, Public Law 107-252 ***and the 2018 Election Reform Program***. The treasurer shall also deposit in the election fund such other funds received under state or federal law, or donated to the state by private parties, for the purposes of conducting elections, voter and election official education, election law enforcement, and related information technology projects and improvements, and shall credit any interest or income earned on monies on deposit to the fund.

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V, reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, ***enhancing election technology, making election security improvements***, and improvements to related information technology, including acquisition and operation of an automated election management system. ***With the exception of federal and state***

portions of funds associated with the 2018 Election Reform Program, the secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

198 Appropriation; Department of State. The sum of \$155,113 for the biennium ending June 30, 2021 is hereby appropriated to the department of state to meet the requirements of the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141, pursuant to RSA 5:6-d. Said sum shall not lapse and may also be used for the purposes of the Help America Vote Act of 2002, Public Law 107-252. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

199 Unemployment Compensation; Contribution Rates. Amend RSA 282-A:87, IV(a) to read as follows:

(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by ~~2/10~~ **3/10** of one percent beginning in the ~~second~~ **third** quarter of ~~2007~~ **2019**. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.

(2) Commencing ~~July~~ **October** 1, ~~2007~~ **2019**, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed ~~[\$2,000,000]~~ **\$2,500,000** annually, shall be deposited each quarter in the fund established by RSA 282-A:138-a and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.

200 New Subdivision; Job Training Program for Economic Growth. Amend RSA 282-A by inserting after section 180 the following new subdivision:

Job Training Program for Economic Growth

282-A:181 Job Training Program for Economic Growth. The purpose of this program is to:

I. Enhance the state's economic growth and vitality by offering assistance to privately owned businesses and industries in preparing and training a new workforce and retraining existing employees to implement new technologies, creating new jobs, and in retaining and upgrading existing jobs.

II. Expand the state's labor force by addressing job readiness and job placement needs of underserved populations, by providing training, reemployment services, subsidized employment, and employment supports for individuals who are underemployed or unemployed.

III. Provide technical education, training, and related supports to help individuals secure employment in order to continue to expand the labor force and to include those individuals not currently eligible for other federal or state workforce training programs.

IV. Be flexible and responsive to the training needs of business and industry in New Hampshire.

282-A:182 Training Programs. Training programs may include, but shall not be limited to:

I. Structured, on-site laboratory or classroom training.

II. Basic skills.

III. Technical skills.

IV. Quality improvement.

V. Safety.

VI. Management and supervision.

VII. English as a second language.

282-A:183 Administration; Rulemaking. The department of employment security shall administer this program. The commissioner of the department of employment security shall adopt rules under RSA 541-A, relative to the administration of this subdivision.

282-A:184 Eligibility for Training Grants.

I. In this subdivision, "grant recipient" means the business entity that receives funds from the department and which provides funds to the training provider.

II. Only those businesses that are physically located in or intend to be physically located in the state and that are in compliance with state laws and regulations may be grant recipients under this subdivision.

III. Only unemployed or underemployed residents of New Hampshire or individuals who work for a business that is located in or intends to locate in the state shall be eligible for training, reemployment services, subsidized employment, and employment supports under this subdivision.

IV. A business entity that receives a training grant under this subdivision shall match no less than one dollar for each dollar provided through the grant award. The matching funds shall include only those costs extraordinary to the regular employee expenses incurred by the business and shall be directly related to training.

V. Priority shall be given for grants to small businesses for the implementation of technological innovations.

VI. Intent to locate within the state shall be established to the satisfaction of the commissioner of the department of employment security. Intent shall be established by:

(a) Proof of substantial investment or a binding contractual obligation consistent with such intent;

(b) The lease or purchase of real estate or equipment within the state necessary for the planned move; or

(c) Such other requirements as may be established under rules adopted by the commissioner of the department of employment security.

VII. Submission of documents to substantiate proof of intent by a business to locate within the state shall be in accordance with rules adopted by the commissioner of the department of employment security.

VIII. No grant shall be made to the state, including the university system of New Hampshire, except that the New Hampshire department of employment security may expend job training funds to the university system of New Hampshire, state community college system, and other public and private training providers to address job readiness and job placement needs of underserved populations by providing for training, education, reemployment services, subsidized employment, and employment supports for individuals who are not employed, or are underemployed, and not eligible for other state or federal workforce training programs.

IX. No grant shall be made to any county, city, town, or other political subdivision which has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

X. No grant shall be made to any organization or group of organizations, described in section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not currently elected to pay contributions pursuant to RSA 282-A:69, II except that such entity may be eligible to receive job training funds in connection with training, education, reemployment services, subsidized employment, and employment supports provided for individuals who are unemployed or underemployed and not eligible for other state or federal workforce training programs.

282-A:185 Eligible Costs.

I. To be eligible for a training grant under this subdivision, a cost shall be necessary and reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

II. The following costs shall not be eligible for training grants:

- (a) Costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (b) Entertainment costs.
- (c) Administrative costs.
- (d) Salaries and wages of employees in training.

III. Funds for training grants shall supplement, and not replace, funds available through existing programs conducted by the business entity, or other public or private training programs.

IV. The department may use no more than 10 percent, or \$250,000, of any moneys received from the training fund established in RSA 282-A:188, whichever is less, to administer this program.

282-A:186 Training Facilities.

I. Training provided to unemployed or underemployed individuals through this program shall include training and education opportunities offered by the university system of New Hampshire and the community college system of New Hampshire as well as training available through other colleges and public and private training programs.

II. The provider shall be specified in the grant award.

282-A:187 Performance; Report.

I. The grant review committee shall establish performance criteria. The committee shall submit no later than 60 days after the close of each fiscal year, to the commissioner of the department of business and economic affairs, the commissioner of the department of employment security, the governor, the senate president, the speaker of the house of representatives, and the fiscal committee of the general court, a report indicating the level of performance achieved through the program.

II. The department shall evaluate the performance level for each training grant provided to a business.

III. The grant recipient shall file the information required under paragraphs I and II, as requested by the commissioner.

282-A:188 Training Fund.

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2020, the moneys in this fund may be used, solely as determined by the commissioner of employment security in accordance with rules and guidelines adopted by the commissioner of employment security, for funding training under the job training program for economic growth, established under RSA 282-A:181 through RSA 282-A:187. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of employment security pursuant to RSA 282-A:183.

II. The commissioner of employment security shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.

III. Any interest earned on the moneys in this fund shall remain in the fund and shall be expended as provided in paragraph I.

IV. Any moneys paid into the training fund during a calendar year, which are either not obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be continually appropriated and shall not lapse.

201 Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire. Amend RSA 273:28, IV(g)(12) to read as follows:

(12) Department of ~~[business and economic affairs]~~ **employment security**, job training program for economic growth pursuant to RSA ~~[12-O:30-37]~~ **RSA 282-A:181 through RSA 282-A:187**.

202 Application of Receipts. Amend RSA 6:12, I(b)(74) to read as follows:

(74) Moneys deposited in the training fund established by RSA ~~[282-A:138-a]~~ **282-A:188**.

203 New Hampshire Workforce Opportunity Fund. Amend RSA 12-O:45, V to read as follows:

V. In accordance with RSA ~~[12-O:30]~~ **282-A:181** through RSA ~~[12-O:37]~~ **282-A:187**, the commissioner of the department of employment security shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.

204 Unemployment Compensation Rates. Amend RSA 282-A:87, IV(a)(2) to read as follows:

(2) Commencing July 1, 2007, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed \$2,000,000 annually, shall be deposited each quarter in the fund established by RSA ~~[282-A:138-a]~~ **282-A:188** and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.

205 Repeal. The following are repealed:

I. RSA 12-O:30 through RSA 12-O:37, relative to the job training program for economic growth.

II. RSA 282-A:138-a, relative to the training fund.

206 Appropriation; Affordable Housing Fund. The sum of \$5,000,000 for the fiscal year ending June 30, 2020, 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. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

207 New Section; Special Account. Amend RSA 432 by inserting after section 30 the following new section:

432:30-a Special Account. There is established a separate account to which shall be credited all funds appropriated or acquired to provide financial and technical assistance associated with this subdivision. This shall be a nonlapsing account, and funds in said account are hereby appropriated for the purpose of this subdivision.

208 Appropriation. Department of Agriculture, Markets and Food. There is hereby appropriated to the department of agriculture, markets and food the sum of \$250,000 for the fiscal year ending June 30, 2020 and \$500,000 for the fiscal year ending June 30, 2021 for deposit in the special account established in RSA 432:30-a. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

209 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the special account for agriculture development rights under RSA 432:30-a.

210 State Demographer. For the biennium ending June 30, 2021, the provisions of RSA 4-C:36 and RSA 14:46, VII are hereby suspended. For said biennium, the director of the office of strategic initiatives may provide assistance to the commission on demographic trends established pursuant to RSA 4-C:37, the department of health and human services pursuant to RSA 9:9-e, or the legislative budget assistant pursuant to RSA 9:9-f, in place of the state demographer.

211 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows:

71-B:14 Staff. The board shall have upon its staff [2] **at least one** review [appraisers] **appraiser** who shall be **a** classified state [employees] **employee** and who shall be competent to review the value of property for tax and eminent domain purposes. In addition, the board shall have such clerical and technical staff as may be necessary within the limits of appropriation made therefor.

212 Coos County Job Creation Tax Credit Extended. Amend RSA 77-E:3-c, II to read as follows:

II. ~~[The initial job creation tax credit allowed under this paragraph shall not apply to any tax period ending prior to the effective date of this section, or to any tax period ending after December 31, 2018.]~~ After being initially granted, the tax credit shall be renewable for 4 consecutive additional years, provided that no additional tax credit shall be granted under this chapter for any tax period after December 31, ~~[2022]~~ **2027**.

213 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to read as follows:

77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.9 percent upon the taxable business profits of every business organization.

214 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to read as follows:

77-E:2 Imposition of Tax. A tax is imposed at the rate of .675 percent upon the taxable enterprise value tax base of every business enterprise.

215 Repeal of Prospective Amendments. The following are repealed:

I. 2017, 156:215; relative to the rate of the business profits tax in 2021.

II. 2017, 156:216; relative to the rate of the business enterprise tax in 2021.

III. 2017, 156:217, II, relative to the applicability of the 2021 rates changes.

216 Applicability. Sections 213 and 214 of this act shall apply to taxable periods ending on or after December 31, 2019.

217 Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I 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 to distribute adequate education grants to municipalities' school districts and to approved charter schools pursuant to RSA 198:42, ***to distribute school building aid to school districts and approved chartered public schools pursuant to RSA 198:15-b, to distribute tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9, to distribute special education aid to school districts pursuant to RSA 186-C:18, and*** to provide low and moderate income homeowners property tax relief under RSA 198:56-198:61[~~and to fund kindergarten programs as may be determined by the general court~~]. The state treasurer shall deposit into this fund immediately upon receipt:

218 New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9 by inserting after section 2 the following new section:

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.

219 Department of Safety; Deputy Director of Administration; Position Established. There is established within the department of safety the unclassified position of deputy director of administration. The deputy director of administration shall be qualified to hold that position by reason of education and experience, and shall be appointed by and serve at the pleasure of the commissioner of safety. The deputy director of administration shall assist the director of administration in carrying out the duties of the department of safety. The salary of the deputy director of administration shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 012, within accounting unit 02-23-23-232015-2310.

220 New Section; Department of Safety; Deputy Director of Administration. Amend RSA 21-P by inserting after section 6 the following new section:

21-P:6-a Deputy Director of Administration.

I. The commissioner of safety shall nominate a deputy director of administration for appointment by the governor, with the consent of the council. The deputy director of administration shall serve a term of 4 years, and may be reappointed. The deputy director of administration shall be qualified to hold that position by reason of education and experience.

II. The deputy director of administration shall perform such duties as are assigned by the director of administration. The deputy director of administration shall assume the duties of the director of administration in the event that the director of administration is unable for any reason to perform such duties.

III. The salary of the deputy director of administration shall be as specified in RSA 94:1-a.

221 Assistant Director of Division of Fire Standards and Training and Emergency Medical Services; Membership in New Hampshire Retirement System. Notwithstanding any provision of RSA 100-A to the contrary, the current assistant director of the division of fire standards and training and emergency medical services, department of safety, shall be considered to have been properly enrolled as a member in group II of the New Hampshire retirement system as of his original date of hire with the division of fire standards and training and emergency medical services and he shall retain such membership for the duration of service in his present capacity.

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

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 [~~\$12~~] **\$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.

223 Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee. Amend RSA 263:42, I to read as follows:

I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- **\$60 for a Real ID Act compliant license under RSA 263:14-b or \$50 for each other license**; for each license issued under RSA 263:5-f- \$10; for each youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original commercial driver license and examination or commercial driver license renewal- \$60; for each commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special motorcycle original license and examination or special motorcycle license renewal- \$50; for each original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each original driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. Except as provided in RSA 263:5-f, I, RSA 263:14, and RSA 263:39-a, III, every license shall expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

224 Department of Transportation; Capital Corridor Rail Expansion. The department of transportation is hereby authorized to access the Boston Urbanized Area Formula Funding program of the Federal Transit Administration, 49 U.S.C. section 5307, identified in the 2019-2028 Ten Year Transportation Improvement Plan, to complete the project development phase of the project named Nashua-Manchester-Concord, project number 40818. The department may use toll credits pursuant to RSA 228:12-a for this project.

225 Department of Transportation; Use of Toll Credits. Amend RSA 228:12-a to read as follows:

228:12-a Use of Toll Credits. The department may use toll credits as a match for federal highway funds solely for the funding of highway and road projects, [or] projects concerning the travel of motor vehicles on such highways and roads, **and the completion of the project development phase of the project named Nashua-Manchester-Concord, project number 40818, in the 2019-2028 Ten Year Transportation Improvement Plan.** Any other use of toll credits shall require approval of the joint legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation improvement program.

226 Department of Transportation; Appropriation. There is hereby appropriated to the department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2020, for the purpose of demolition and environmental mitigation of structures on state-owned property. Such funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

227 Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing Facilities. Amend RSA 541-A:21 by inserting after paragraph III the following new paragraph:

III-a. Rules adopted relative to the budget adjustment factor contained within the Medicaid rate of reimbursement methodology for nursing facilities shall be exempt from the provisions of 541-A:5 through 541-A:14 provided that the budget adjustment factor applied to the reimbursement methodology is equal to or less than 28.76 percent. If the budget adjustment factor to be applied to the reimbursement methodology is greater than 28.76 percent, the provisions of 541-A shall apply.

228 Alcohol Abuse Prevention and Treatment Fund; Disbursements. 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.

229 Appropriation; Department of Health and Human Services; Construction of Designated Receiving Facility Beds. There is hereby appropriated to the department of health and human services the sum of \$2,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of funding rate increases for and construction of designated receiving facility beds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

230 Appropriation; Department of Health and Human Services; Inpatient Psychiatric Treatment Facility. There is hereby appropriated the sum of \$5,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children who are in need of acute inpatient psychiatric treatment. The plans for developing such facility shall be completed by December 31, 2019, and the facility shall be operational by December 31, 2020. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

231 Appropriation; Department of Health and Human Services; New Hampshire Hospital Repurposing. There is hereby appropriated to the department of health and human services the sum of \$4,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of repurposing the children's unit at New Hampshire Hospital for adult beds. The plans for repurposing the unit shall be developed by the department in consultation with the advisory council on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed by June 1, 2020. The unit shall be operational for adult patients by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

232 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 \$2,500,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of funding 20 new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital. The plans for constructing such beds shall be completed by January 1, 2020, and the beds shall be operational by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

233 Appropriation; Department of Health and Human Services; Patients Residing in Hospital Emergency Rooms. There is hereby appropriated to the department of health and human services the sum of \$1,000,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing, and shall be expended for the purpose of providing assistance to hospitals in addressing the immediate needs of involuntary emergency admissions patients currently residing in emergency rooms in hospitals further than 30 miles from an established New Hampshire mobile crisis team or a designated receiving facility; provided that no hospital shall receive more than \$100,000. The commissioner of the department of health and human services shall establish the application process for such funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

234 Transfer of Funds for Operation of the Sununu Youth Services Center. Notwithstanding RSA 9:16-a and RSA 9:16-c, for the biennium ending June 30, 2021, prior approval of the fiscal committee of the general court shall be required for any transfer of funds required for the operation of the Sununu youth services center.

235 Medicaid Managed Care Program; Dental Benefits. Amend RSA 126-A:5, XIX(a) to read as follows:

XIX.(a) The commissioner shall employ a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. **section** 1396u-2. Models for managed care may include, but not be limited to, a traditional capitated managed care organization contract, an administrative services organization, an accountable care organization, or a primary care case management model, or a combination thereof, offering the best value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the most innovative approach compared to other externally administered models. The department shall present the opportunities of the various models or combination of models with a recommendation for the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal committee of the general court which shall consult with the oversight committee on health and human services. Services to be managed within the model shall include all mandatory Medicaid covered services and may include, but shall not be limited to, care coordination, utilization management, disease management, pharmacy benefit management, provider network management, quality management, and customer services. ~~[The model shall not include mandatory dental services.]~~ The commissioner shall issue a 5-year request for proposals to enter into contracts with the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The request for proposals shall be released no later than October 15, 2011. The vendors of the managed care model or combination of models demonstrating the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings shall be selected no later than January 15, 2012 with final contracts submitted to the governor and council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the bidding process, the commissioner shall establish a capitated rate based on the bids by the appropriate model for the contract that is full risk to the vendors. The capitated rate shall be broken down into rate cells for each population including, but not limited to, the persons eligible for temporary assistance to needy families (TANF), aid for the permanently and totally disabled (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the

fiscal committee of the general court. The managed care model or models' selected vendors providing the Medicaid services shall establish medical homes and all Medicaid recipients shall receive their care through a medical home. In contracting for a managed care model and the various rate cells, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the current level of quality of care provided. The target date for implementation of the contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with the approval of the fiscal committee, all necessary and appropriate waivers to implement the provisions of this paragraph.

236 New Subdivision; Child Abuse Specialized Medical Evaluation Program. Amend RSA 169-C by inserting after section 39-k the following new subdivision:

Child Abuse Specialized Medical Evaluation Program

169-C:39-l Child Abuse Specialized Medical Evaluation Program Established. A child abuse specialized medical evaluation program is hereby established in the department. The program shall include the following elements:

I. Child protective service workers shall have on-call access, 24 hours a day and 7 days a week, to an experienced health care professional who is trained in and can advise on the standardized diagnostic methods, treatment, and disposition of suspected child sexual abuse and physical abuse.

II. Department nurses and child protective service workers performing screenings and assessments of reported cases of child abuse shall receive pre-service training in the standardized medical diagnostic methods, treatment, and disposition as well as periodic in-service training by health care providers experienced in child abuse and neglect.

III. Annually, a limited number of designated health care providers geographically distributed shall be trained in nationally recognized curricula to respond to initial presentations of child sexual abuse, physical abuse, and neglect.

IV. Health care professionals who participate in the training or are members of a multidisciplinary team, working with the department of health and human services or law enforcement, shall participate in periodic peer or expert reviews of their evaluations and undertake continuing education in the medical evaluation of child abuse and neglect according to professional standards.

V. The department shall contract with a health care provider with experience in child abuse and neglect to administer the program in collaboration with participating private and public entities.

VI. Reimbursement rates for health care providers who participate in the program shall reflect the average cost to deliver such services, including the participation in multidisciplinary team activities and associated court proceedings. The rates shall be periodically reviewed and, if necessary, revised.

VII. The commissioner of the department shall adopt rules, under RSA 541-A, relative to the medical evaluation program, training and continuing education requirements, and reimbursement rates.

237 Delinquent Children; Dispositional Hearing; Commitment of Minors. RSA 169-B:19, VI is repealed and reenacted to read as follows:

VI.(a) A minor committed to the youth development center pursuant to this section shall be promptly evaluated by the center to determine whether a safe, therapeutic, and cost-effective placement may be made as an alternative to the youth development center. Such evaluation is not required if the minor has been committed for a serious violent offense as defined in RSA 169-B:31-c, II.

(b) If the commissioner determines that an alternative placement for a minor would be safe, therapeutic, and cost-effective, the commissioner may place the minor in a residential treatment facility that the commissioner has certified for the immediate transfer of committed minors. If the commissioner determines that an alternative placement for a minor would be safe, therapeutic, and cost-effective, but decides not to make an alternative placement, the commissioner shall notify the court within 5 business days of the decision to not pursue an alternative placement, along with the basis for the decision not to place the minor outside the youth development center. Within 2 business days of receiving notice, the court shall provide a copy of the notice to the parent or guardian of the minor and to the attorney who represented the minor at the time of the commitment to the youth development center.

(c) The commissioner shall notify the court of an alternative placement made pursuant to this paragraph within 5 business days of the placement. The commissioner shall notify the court of any change in placement to another facility made during the period of commitment. All such notices shall include a description of the basis for the change in placement, and shall be provided to the parent or guardian of the minor and to the attorney who represented the minor at the time of the commitment to the youth development center.

(d) The commissioner shall certify at least 2 facilities for the immediate transfer of committed minors pursuant to this paragraph. Only facilities which are eligible for Medicaid reimbursement may be certified for immediate transfers. The process for certification of residential treatment facilities under this subparagraph shall include consultation with the operators of existing facilities in the state about their physical and

programmatic capacity, as well as the identification of any necessary enhancements in programming or rate structure so that the certified facilities are appropriate to receive minors immediately following their commitment to the youth development center.

(e) The commissioner shall notify the administrative justice of the circuit court and the fiscal committee of the general court if a facility is certified for alternative placements pursuant to this paragraph within 10 business days of the certification.

(f) The commissioner shall maximize the utilization of facilities other than the youth development center and reserve the use of the youth development center for the confinement of only those minors who are so dangerous to themselves or to the public that no other safe placement is available. The commissioner shall pursue the same objectives in complying with the requirements of all provisions of this chapter and the provisions of RSA 621.

238 Applicability. RSA 169-B:19, VI, as amended by section 237 of this act, shall apply to children committed to the youth development center on or after November 1, 2019.

239 Federal Family Planning Funding. If the proposed federal rule on Compliance with Statutory Program Integrity Requirements, 83 Fed. Reg. 25,502 (to be codified at 42 C.F.R. pt 59) does not go into effect and federal family planning funds are made available to the providers funded out of account 05-95-90-902010-5530, the unused portion of general funds appropriated to that account for the purpose of replacing lost federal funds shall lapse to the general fund.

240 New Section; Commission to Study School Funding. Amend RSA 193-E by inserting after section 2-d the following new section:

193-E:2-e Commission Established.

I. There is established a commission to study school funding.

II. The members of the commission shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) Six members of the public, 3 of whom shall be appointed by the president of the senate and 3 of whom shall be appointed by the speaker of the house of representatives.

(d) One member appointed by the governor.

(e) Three members appointed by the chairperson of the commission pursuant to paragraph V.

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:

(a) Review the education funding formula and make recommendations to ensure a uniform and equitable design for financing the cost of an adequate education for all public school students in the state.

(b) Determine whether the New Hampshire school funding formula complies with court decisions mandating the opportunity for an adequate education for all students, with a revenue source that is uniform across the state.

(c) Identify trends and disparities across the state in student performance in kindergarten through grade 12 based on current school funding options.

(d) Re-establish the baseline for the costs, programs, staffing, and facilities needed to provide the opportunity for an adequate education.

(e) Act as an independent commission.

(f) Consider other policy issues as the committee deems necessary. The commission may consult with outside resources and state agencies, including but not limited to the department of education, the department of revenue administration, and the legislative budget office.

V. The members of the study commission shall elect a chairperson from among the members. The chairperson shall appoint 3 individuals to be members of the commission. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eight members of the commission shall constitute a quorum. The commission shall establish a calendar to meet on a regular basis.

VI. The commission shall establish a budget and hire staff with an understanding of school finance options. Such staff shall be independent of government agencies.

VII. The commission shall make an initial report to the speaker of the house of representatives, the president of the senate, the senate clerk, the house clerk, the governor, and the state library 9 months after its first meeting, with a subsequent report to the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2020. The commission shall remain active until and when the general court addresses its recommendations.

241 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2021 is hereby appropriated to the commission to study school funding established in RSA 193-E:2-e for the purpose of administration,

staffing, and the utilization of independent school finance experts. Notwithstanding restrictions on the use of moneys in the education trust fund in RSA 198:39, said appropriation shall be a charge against the education trust fund and shall be nonlapsing.

242 Interest and Dividends Tax; Exemptions Increased; Capital Gain Income. Amend RSA 77:3, I to read as follows:

I. Taxable income is that *interest, dividend, and capital gain* income, *as defined in RSA 77:4*, 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]~~, *gross* dividend ~~[income from all sources]~~, *and capital gain income, as defined in RSA 77:4*, including income from a qualified investment company pursuant to RSA 77:4, V, exceeds ~~[\$2,400]~~ **\$5,000** 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]~~, *gross* dividend, ~~[income from all sources]~~ *and capital gain income, as defined in RSA 77:4*, exceeds ~~[\$2,400]~~ **\$5,000** 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]~~, *gross* dividend, ~~[income from all sources]~~ *and capital gain income, as defined in RSA 77:4*, exceeds ~~[\$2,400]~~ **\$5,000** during the taxable year.

243 Taxation of Incomes; What Taxable. Amend RSA 77:4, IV and V to read as follows:

IV. ~~[Dividends, other than that portion of a dividend declared by corporations to be a return of capital and considered by the federal internal revenue service to be such, the exemption of which is permitted by RSA 77:7.]~~ **The capital gain reported on the taxpayer's federal income tax return which shall be the amount, if any, that is equal to the positive sum of the net short-term capital gain or loss and the net long-term capital gain or loss reported on that return.**

V. Amounts reported and taxed federally as ~~[dividends or interest]~~ *interest, dividend, or capital gain income* to a holder of an ownership interest in a qualified investment company as defined in RSA 77-A:1, XXI, a mutual fund, or a unit investment trust.

244 Taxation of Incomes; Exclusion of Certain Income; Employee Benefit Plans. Amend RSA 77:4-b to read as follows:

77:4-b ~~[Interest and Dividend]~~ Income of Employee Benefit Plans and Tax Deferred Investments Not Taxable. Notwithstanding any provisions of RSA 77:4 to the contrary, ~~[interest and dividend income]~~ *interest, dividend, and capital gain income, as defined in RSA 77:4*, received by an employee benefit plan as defined by the Employee Retirement Income Security Act of 1974, section 3, or any successor act enacted for the purpose of regulating employee benefit plans, or an individual retirement arrangement, Keogh plan or any other arrangement pursuant to which payment of federal tax on the income thereof and of the plan sponsors, participants and beneficiaries is deferred, shall at no time be considered taxable income under RSA 77:4, either to the plan or arrangement or to its sponsors, participants or beneficiaries, irrespective of when or whether all or any portion of such income is accumulated or expended for the benefit of, or distributed in any form or manner to, such sponsors, participants or beneficiaries.

245 Taxation of Incomes; Exclusion of Certain Income; Qualified Investment Companies, Mutual Funds, and Unit Investment Trusts. Amend the introductory paragraph of RSA 77:4-d to read as follows:

77:4-d Special Rule for Qualified Investment Companies, Mutual Funds, and Unit Investment Trusts. Notwithstanding any other provision of RSA 77:4, the following income items shall not be treated as ~~[dividends or interest]~~ income taxable under this chapter:

246 Taxation of Incomes; Exclusion of Certain Income; College Tuition Savings Plans. Amend RSA 77:4-e to read as follows:

77:4-e Interest ~~[and Dividends]~~, *Dividend, and Capital Gain Income* from Funds Invested in College Tuition Savings Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and distributions from any qualified tuition program as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or to its sponsors, participants, or beneficiaries to the extent that the same is exempt from federal income taxation under section 529 of the Internal Revenue Code of 1986, as amended, as that section was in effect on July 1, 2003.

247 Taxation of Incomes; Excess Compensation. Amend RSA 77:4-g to read as follows:

77:4-g ~~[Dividend]~~ **Excess Compensation**. Excess compensation determined by audit of the department shall not be considered ~~[a dividend]~~ **taxable income** under this chapter unless such determination is accepted by the Internal Revenue Service.

248 Taxation of Incomes; ABLE Plans. Amend RSA 77:4-h to read as follows:

77:4-h Interest ~~[and Dividends]~~, *Dividend, and Capital Gain Income* from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and

distributions from any Achieving a Better Life Experience (ABLE) plan as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted from federal income taxation under section 529A of the Internal Revenue Code of 1986, as amended.

249 Exemptions Increased. Amend RSA 77:5 to read as follows:

77:5 Exemptions. Each taxpayer shall have the following exemptions:

I. Income of [~~\$2,400~~] **\$5,000**.

II. An additional [~~\$1,200~~] **\$7,500** if either or both taxpayers are 65 years of age or older on the last day of the tax year.

III. An additional [~~\$1,200~~] **\$2,500** if either or both taxpayers are blind.

IV. An additional [~~\$1,200~~] **\$2,500** if either or both taxpayers are disabled, unable to work, and have not yet reached their sixty-fifth birthday.

250 Taxation of Incomes; Married Taxpayers; Joint Returns. Amend RSA 77:5-a to read as follows:

77:5-a Married Taxpayers; Joint Returns. A married taxpayer may claim the exemptions provided in RSA 77:5 for both self and spouse, regardless of the ownership of the [~~income from interest or dividends,~~] **interest, dividend, or capital gain income, as defined in RSA 77:4**, provided that both [~~husband and wife~~] **spouses** file a joint return.

251 Taxation of Incomes; Decedents Estates. Amend RSA 77:9 to read as follows:

77:9 Decedents' Estates. The estates of deceased persons who last dwelt in this state shall be subject to the taxes imposed by this chapter upon all taxable income received by such persons during their lifetime, which has not already been taxed. The [~~income~~] **interest, dividend, or capital gain income, as defined in RSA 77:4**, received by such estates during administration shall be taxable to the estate, except such proportion thereof as equals the proportion of the estate to be distributed to non-taxable persons or organizations. The commissioner of revenue administration and executors and administrators of estates may effect a settlement by compromise of any question of doubt or dispute arising under this section.

252 Taxation of Incomes; Income From Trusts. Amend RSA 77:10 to read as follows:

77:10 Income From Trusts. [~~Interest and dividend income~~] **The interest, dividend, and capital gain income**, received by estates held by trustees treated as grantor trusts under section 671 of the United States Internal Revenue Code shall be included in the return of their grantor, to the extent that the grantor is an inhabitant or resident of this state. Income reported by, and taxed federally as interest [~~or dividends to~~], **dividend, or capital gain income to** a trust beneficiary who is an individual inhabitant or resident of this state with respect to distributions from a trust that is not treated as a grantor trust under section 671 of the United States Internal Revenue Code shall be included as interest [~~or dividends~~], **dividend, or capital gain income** in the return of such beneficiary and subject to taxation in accordance with the provisions of this chapter.

253 Taxation of Incomes; Returns and Declaration. Amend RSA 77:18, IV(a) and (b) to read as follows:

(a) Every individual whose total [~~interest and dividend income~~] **interest, dividend, or capital gain income, as defined in RSA 77:4**, is less than [~~\$2,400~~] **\$5,000** for a taxable period.

(b) For joint filers whose total [~~interest and dividend income~~] **interest, dividend, or capital gain income, as defined in RSA 77:4**, is less than [~~\$4,800~~] **\$10,000** for a taxable period.

254 Repeals. The following are repealed:

I. RSA 77:4-c, relative to sale or exchange of transferable shares not taxable.

II. RSA 77:7, relative to capital distribution.

255 Applicability. Sections 242-254 of this act shall be applicable to tax periods ending on and after December 31, 2020.

256 Education Trust Fund; Revenue From Tax on Interest and Dividends. Amend RSA 198:39, I, (l) to read as follows:

(l) **\$150,000,000 of funds collected and paid to the state treasurer by the commissioner of the department of revenue administration pursuant to RSA 77 relative to the tax on interest and dividends and capital gains.**

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

257 School Money; Definitions. Amend RSA 198:38, I(a) to read as follows:

(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year[, ~~provided that no kindergarten pupil shall count as more than 1/2-day attendance per school year~~]. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

258 Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno revenue, is repealed.

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

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

IV. A school district which receives adequate education aid under this section for schools within its jurisdiction shall separately account for such aid as part of its financial accounting procedures. Such aid may also be used to provide enhanced programs in schools within its jurisdiction for which such aid has been allocated that are known to improve pupil achievement, including but not limited to: pre-kindergarten programs, full-day kindergarten programs, extended learning time, professional development opportunities for teachers, hiring of additional instructional and non-instructional personnel, programs designed to reduce class size, parental involvement programs, additional technology resources, dropout prevention programs, principal incentive programs, and curriculum enrichment programs. The school district shall determine which programs are most needed and most appropriate for their pupils. The department shall annually review and update the list of approved programs from which a school district may choose.

V. A school district which receives adequate education aid under this section for use in schools within its jurisdiction shall annually submit a report to the commissioner documenting for each school within its jurisdiction for which such aid has been allocated, the enhanced programs selected for implementation, an explanation of the specific educational needs which the program is intended to address, an explanation of how the program will be implemented in the school, and an estimate of the cost of implementing the program. The commissioner shall review these reports to ensure that adequate education aid will be used to provide programs approved under paragraph I.

VI. A school district which receives adequate education aid for schools within its jurisdiction pursuant to this section shall direct such aid to the schools for which such aid was calculated. A school district which receives adequate education aid for pupils that attend schools in another school district, shall direct such aid to the school district where its pupils are being educated. Any adequate education aid directed from one school district to another pursuant to this paragraph shall be a credit against any existing financial liability between the school districts.

260 School Money; Additional Aid Based on Free or Reduced-Price Meals; Fiscal Capacity Disparity Aid. RSA 198:40-b and 40-c are repealed and reenacted to read as follows:

198:40-b Additional Aid Based on Free or Reduced-Price Meals.

I. In a school district in which 48 percent or more of the ADMA is eligible to receive a free or reduced-priced meal, an additional \$3,708 for each pupil in the ADMA who is eligible for a free or reduced-priced meal.

II. In a school district in which at least 12 percent but less than 48 percent of the ADMA is eligible to receive a free or reduced-priced meal, an amount equal to \$927 plus \$0.7725 for each 0.01 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMA who is eligible for a free or reduced-priced meal.

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

198:40-c 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 biennium the commissioner shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil of \$350,000 or less shall receive \$6,000 per pupil in the municipality's ADMA.

(b) A municipality with an equalized valuation per pupil between \$350,001 and \$999,999 shall receive a grant equal to .0092 cents for each dollar of difference between its equalized valuation per pupil and \$1,000,000, per pupil in the municipality's ADMA.

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

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

III. In this section, "equalized valuation per pupil" means a municipality's equalized valuation, including properties subject to taxation under RSA 82 and RSA 83-F, 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 ADMA in the determination year.

261 School Money; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:

198:40-d Consumer Price Index Adjustment.

I. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the cost of an adequate education under RSA 198:40-a based on the average 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 biennium for which the calculation is to be performed.

II. Beginning July 1, 2021 and every biennium thereafter, the department of education shall adjust the additional aid based on free or reduced-price meals as provided in RSA 198:40-b based on the average 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 biennium for which the calculation is to be performed.

262 Determination of Adequate Education Grants. Amend RSA 198:41, I to read as follows:

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) Add the municipality's additional aid for free or reduced-price meals pursuant to RSA 198:40-b and fiscal capacity disparity aid pursuant to RSA 198:40-c.

263 Determination of Education Grants. RSA 198:41, III is repealed and reenacted to read as follows:

III.(a) No municipality shall receive a total education grant which is less than the total education grant received in the preceding fiscal year. This subparagraph shall not apply to a municipality in which the education tax revenue collected pursuant to RSA 76 exceeds the municipality's total cost of an adequate education or to a municipality in which the ADMA is equal to zero.

(b) For the fiscal year ending June 30, 2021, the department of education shall adjust a municipality's total education grant to an amount not to exceed 120 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater. However, if a municipality received no education grant in the preceding fiscal year because the municipality's education tax revenue collected pursuant to RSA 76 exceeded its total cost of an adequate education, the commissioner of the department of education shall adjust the municipality's total education grant to an amount not to exceed 120 percent of the amount of its education tax revenue collected in the preceding fiscal year.

(c) For the fiscal year ending June 30, 2022, and every fiscal year thereafter, the department of education shall adjust a municipality's total education grant to an amount not to exceed 102 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater.

264 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 [~~and each fiscal year thereafter~~] **through fiscal year 2019**, 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, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year [~~thereafter~~] **through fiscal year 2019**.

(e) For fiscal year 2020, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant to that municipality for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2016 stabilization grant, if any, distributed to the municipality. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

265 Repeal. RSA 198:41, IV, relative to stabilization grants, is repealed.

266 General Fund Surplus; Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, after transferring \$5,000,000 to the revenue stabilization reserve account at the close of the fiscal biennium ending June 30, 2019, the remainder of the general fund surplus for said biennium shall remain in the general fund.

267 Effective Date.

I. Sections 1, 34, 65, 71, 72, 233, and 266 of this act shall take effect June 30, 2019.

II. Section 5 of this act shall take effect as provided in section 6 of this act.

III. Sections 76, 77, and 240 of this act shall take effect upon its passage.

IV. Section 78 of this act shall take effect November 1, 2022.

V. Sections 133-140 and 223 of this act shall take effect January 1, 2020.

VI. Sections 107-108, 256, 259-263, and 265 of this act shall take effect July 1, 2020.

VII. Section 235 of this act shall take effect January 1, 2021.

VIII. The remainder of this act shall take effect July 1, 2019.

AMENDED ANALYSIS

1. Repeals 2017,155:7, which directed the commissioner of administrative services to eliminate appropriations to class 027 transfers to OIT in all agencies and departments.

2. Establishes the unclassified position of director of plant and property within the department of administrative services.

3. Converts managers in the department of administrative services to directors, and renames divisions and units accordingly.

4. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.

5. Provides that cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement.

6. Extends the state heating systems savings account.

7. Establishes an additional surplus fund within the department of administrative services.

8. Establishes the building maintenance fund within the department of administrative services and assesses charge to state agencies.

9. Limits the number of judges on the superior court and the number of full time judges on the circuit court for the biennium ending June 30, 2021.

10. Permits the supreme court to transfer funds among judicial branch accounts.

11. Provides the department of corrections with additional transfer authority for the biennium ending June 30, 2021 and establishes the cost of care reimbursement account and the unclassified position of director of nursing in the department of corrections.

12. Provides that chartered school lease aid shall not exceed more than \$30,000 per school in any fiscal year.

13. Suspends the senior volunteer grant program and congregate services for the biennium ending June 30, 2021.

14. Directs the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program each January.

15. Increases the limit for county reimbursements under RSA 167:18-a.

16. Extends the prospective repeal for eligibility of state mental health services under 2011, 209:6, I.

17. Suspends direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2021.

18. Suspends catastrophic aid to hospitals for the biennium ending June 30, 2021.

19. Makes an appropriation the department of safety, division of fire standards and training and emergency medical services, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17.

20. Requires the commissioner of the department of health and human services to make quarterly reports to the governor, speaker of the house of representatives, and president of the senate on the status of estimated Medicaid payments in relation to actual costs.

21. Permits the department of health and human services to fill unfunded positions during the biennium ending June 30, 2021.

22. Repeals RSA 151-E:18, relative to presumptive eligibility for nursing services.

23. Establishes certain revolving funds within the department of health and human services.

24. Directs that the Laconia state school trust shall be dissolved upon final distribution of the funds pursuant to court order.

25. Establishes a committee to study outdated non-regulatory boards.

26. Requires the department of health and human services to develop a plan to close the cliff effect for individuals and families who receive public benefits.

27. Directs the commissioner of the department of health and human services to develop a plan for patients civilly committed to the secure psychiatric unit which shall consider the renovation of space at the New Hampshire hospital and establishes an advisory council.

28. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2021.

29. Modifies the funding source of the travel and tourism budget in the department of business and economic affairs.

30. Suspends the integrated land development permit procedure for the biennium ending June 30, 2021.

31. Suspends certain environmental state aid grants.
32. Provides for reimbursement for sheriff's offices for court security.
33. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program for the biennium ending June 30, 2021.
34. Adds a representative from the New Hampshire Hospital Association and a representative from the state's faith-based community to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.
35. Establishes a system of paid family and medical leave insurance.
36. Modifies the provision of civil legal services funds for low-income persons to New Hampshire legal assistance and eliminates the dedicated civil services legal fund.
37. Clarifies the health facilities licensure moratorium.
38. Authorizes sports betting in New Hampshire and establishes a council for responsible gambling.
39. Requires Keno revenue to be deposited in the education trust fund.
40. Defines and regulates the sale of electronic cigarettes and e-cigarettes.
41. Modifies the duties of the board of veterinary medicine.
42. Modifies the procedure for certified application prepayers for minimum environmental impact projects.
43. Regulates public bathing facilities.
44. Moves recreational camp licensing to the department of health and human services.
45. Combines the adjutant general's department, the office of veterans services, and the bureau of community based military programs into the department of military affairs and veterans services.
46. Transfers the bureau of visitor services within the department of business and economic affairs to the office of the commissioner of business and economic affairs.
47. Authorizes the establishment of the governor's finish line New Hampshire scholarship program in the community college system of New Hampshire and transfers administration of the existing governor's scholarship program to the department of education.
48. Authorizes the commissioner of the department of transportation to recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds.
49. Repeals the Maine-New Hampshire interstate bridge authority.
50. Repeals witness fees for witnesses summoned before certain boards and commissions.
51. Amends the granite workforce program.
52. Exempts certain accounting units within the department of cultural and natural resources from transfer restrictions.
53. Requires payment of any transaction costs assessed for credit card payments on motor vehicle fines to be paid out of the fine amount which is credited to the highway fund.
54. Deletes obsolete limits on total bonds issued by the business finance authority.
55. Repeals the requirement for the Pease development authority to submit a comprehensive development plan.
56. Authorizes the attorney general, subject to the approval of the governor and council, to appoint a director of the office of victim/witness assistance and a director of communications.
57. Establishes an unclassified full-time investigator position in the department of justice for the purpose of working on officer-involved use of deadly force investigations and to provide training to local law enforcement officers.
58. Abolishes a position in the department of justice to fund the director of communication position and establishes the position of assistant attorney general.
59. Provides for the rehiring of laid-off classified state employees, if possible.
60. Makes an appropriation to the state treasurer for the fiscal year ending June 30, 2021 for the purpose of providing municipal aid to each city, town, and unincorporated place in the state.
61. Establishes the community development fund for New Hampshire, which shall be administered by the community development finance authority, and makes and appropriation to the fund.
62. Makes appropriations to the department of environmental services for the purpose of funding state aid grant programs.
63. Establishes victim/witness specialist positions in the department of justice.
64. Establishes an unclassified, full-time elections attorney position within the department of justice.
65. Permits the department of natural and cultural resources to suspend curatorial responsibilities for the biennium ending June 30, 2021.
66. Allows for statewide public boat access funds to be used for payment of the cost of bonds for the Mount Sunapee state park beach boat ramp project of the department of natural and cultural resources.
67. Makes an appropriation to the department of natural and cultural resources for redevelopment and improvement projects at the Fort Stark historic site.
68. Clarifies the qualifications of the director of the division of archives and records management.
69. Modifies the election fund to include monies received by the state pursuant to the 2018 Election Reform Program, and expands the list of authorized uses of monies deposited into the fund.

70. Authorizes an appropriation of money to the department of state for the purpose of implementing the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141.

71. Makes changes to unemployment compensation contribution rates.

72. Transfers the job training program for economic growth from the department of business and economic affairs to the department of employment security.

73. Makes an appropriation to the housing finance authority for affordable housing.

74. Establishes a separate account for funds acquired to provide financial and technical assistance associated with agricultural restricted covenants, funding developmental rights, or for farmland preservation and makes an appropriation therefor.

75. Suspends the position of state demographer for the biennium.

76. Changes the number of review appraisers the staff of the board of tax and land appeals is required to have.

77. Extends the Coos county job creation tax credit until 2027.

78. Establishes the rates of the business profits tax and the business enterprise tax for taxpayer tax years ending on or after December 31, 2019 and for subsequent tax years, and repeals rate reductions effective in 2021.

79. Amends the authorized uses of the education trust fund.

80. Directs the governor to submit a document to be known as the trailer bill to the legislature as part of the budget process and clarifies that the document shall not be considered a budget bill under the New Hampshire constitution.

81. Establishes the position of deputy director of administration in the department of safety, division of administration.

82. Provides that the current assistant director of the division of fire standards and training and emergency medical services, department of safety, shall be considered to have been properly enrolled as a member in group II of the New Hampshire retirement system as of his original date of hire.

83. Raises the fee for email or other computer-generated motor vehicle record requests by insurance companies or other authorized agents.

84. Establishes the fee for a Real ID Act compliant driver's license.

85. Permits the department of transportation to access certain federal funding for the purpose of completing the project development phase of the capital corridor rail project in the 2019-2028 Ten Year Transportation Improvement Plan and permits the department of transportation to use toll credits for this project.

86. Makes an appropriation to the department of transportation for the purpose of demolition and environmental mitigation of structures on state-owned property.

87. Exempts certain rules on the Medicaid rate of reimbursement methodology for nursing facilities from the administrative procedures act, RSA 541-A.

88. Clarifies disbursements of community benefit contributions from the alcohol abuse prevention and treatment fund.

89. Makes an appropriation to the department of health and human services for rate increases and construction of designated receiving facility beds.

90. Makes an appropriation to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children in need of inpatient psychiatric treatment.

91. Makes an appropriation to the department of health and human services for the purpose of repurposing the children's unit of New Hampshire hospital for adult beds.

92. Makes an appropriation to the department of health and human services for the purpose of constructing transitional housing beds.

93. Makes an appropriation to the department of health and human services for the purpose of providing assistance to hospitals in addressing the needs of certain patients residing in emergency rooms.

94. Requires fiscal committee approval for any transfer of funds required for operation of the Sununu youth services center.

95. Requires the Medicaid managed care program to provide dental benefits to covered persons beginning in 2021.

96. Establishes a child abuse specialized medical evaluation program in the department of health and human services.

97. Requires evaluation of a minor committed to the youth development center to determine whether an alternative placement in a safe, therapeutic, and cost-effective, residential treatment facility is feasible.

98. Provides for the availability of certain federal family planning funds.

99. Establishes a commission to study school funding.

100. Extends the interest and dividends tax to capital gains and increases exemptions for the tax.

101. Requires a portion of interest and dividend and capital gains tax revenues to be credited to the education trust fund.

102. Calculates kindergarten pupils as full day attendance for the purpose of adequate education grants.

103. Repeals distribution of kindergarten grants based on Keno revenue.

104. Establishes fiscal capacity disparity aid to municipalities based on equalized valuation per pupil.

105. Provides additional aid to municipalities based on the percentage of pupils eligible to receive a free or reduced-price meal.

106. Requires school districts to report on the use of adequate education grant funds.

107. Provides stabilization grants to municipalities in fiscal year 2020 and repeals the grants in fiscal year 2021 and thereafter.

108. Provides that any budget surplus in excess of \$5,000,000 at the close of the biennium ending June 30, 2019, shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.

Reps. Lynne Ober and Weyler spoke against.

Reps. Heath, Nordgren and Lovejoy spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

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BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meador, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George

Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Schultz, Kristina
Walz, Mary Beth

Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 159

BELKNAP

Aldrich, Glen
Fields, Dennis
Plumer, John
Sylvia, Michael

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Varney, Peter

Feeney, George
Lang, Timothy
St. Clair, Charlie
Viens, Harry

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
MacDonald, John

Cordelli, Glenn
Marsh, William

Crawford, Karel
Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Whittemore, James

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty

Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Morrison, Sean
Pratt, Kevin
Spillane, James
Wallace, Scott

Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Melvin, Charles
Packard, Sherman
Roy, Terry
Torosian, Peter
Weyler, Kenneth

Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Yokela, Josh

STRAFFORD

Harrington, Michael
McNally, Jody
Beaudoin, Steven

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Ladd offered floor amendment (1417h).

Floor Amendment (1417h)

Amend the bill by replacing section 264 with the following:

264 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 [~~and each fiscal year thereafter~~] **through fiscal year 2019**, 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, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year [~~thereafter~~] **through fiscal year 2019**.

(e) For fiscal year 2020, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant to that municipality for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2018 stabilization grant, if any, distributed to the municipality. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

Rep. Ladd spoke in favor.

Rep. Luneau spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 221

YEAS - 157

BELKNAP

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Varney, Peter

Feeney, George
Lang, Timothy
St. Clair, Charlie
Viens, Harry

Fields, Dennis
Plumer, John
Sylvia, Michael

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph

Alexander, Joe
Burns, Charles

Griffin, Barbara
Burt, John

Barry, Richard
Camarota, Linda

Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Whittemore, James

Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie

Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

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Wolf, Dan

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Seaworth, Brian
Yakubovich, Michael

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Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

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Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Morrison, Sean
Pratt, Kevin
Spillane, James
Wallace, Scott
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Sytek, John
Ward, Gerald

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Melvin, Charles
Packard, Sherman
Roy, Terry
Torousian, Peter
Welch, David

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

STRAFFORD

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McNally, Jody
Beaudoin, Steven

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 221

BELKNAP

Aldrich, Glen

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meador, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane

Bouldin, Andrew
Bergeron, Paul

Backus, Robert
Bernet, Jennifer

Baroody, Benjamin
Bordy, William

Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Martin, Joelle
Murphy, Nancy
Petrigno, Peter
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mombourquette, Donna
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Komi, Richard
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Warner, Anne

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horriggan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and floor amendment (1417h) failed.

Rep. Aldrich voted Nay and intended to vote Yea.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Lynne Ober offered floor amendment (1435h).

Floor Amendment (1435h)

Amend the bill by replacing sections 95-97 with the following:

95 New Subdivision; The Twin State Voluntary Leave Plan. Amend RSA 21-I by inserting after section 95 the following new subdivision:

The Twin State Voluntary Leave Plan

21-I:96 The Twin State Voluntary Leave Plan. There is hereby established the twin state voluntary leave plan, which shall be implemented in accordance with this subdivision and RSA 282-B.

21-I:96-a Purpose and Policy. The purpose of this subdivision is to leverage the purchasing power and economies of scale available to the state when it is acting as purchaser on behalf of state employees in order to make available to other private and public employers in the state, on a voluntary basis, advantageously priced family and medical leave insurance (FMLI) wage replacement benefits. By purchasing FMLI coverage for state employees through the medium of commercial insurance and by acting as premium aggregator for individuals and smaller employers, the state will position itself to create a market for advantageously priced FMLI benefits. In order to derive additional purchasing power and economies of scale above what is available

through a single state solution, this subdivision also authorizes the department of administrative services to jointly procure with the Vermont Department of Human Resources an FMLI insurance contract or contracts that provide wage replacement benefits, contingent upon each state enacting appropriately similar authorizing legislation. It is the intent of this subdivision to significantly increase the number of employees in the state who have access to FMLI wage replacement benefits. The social benefits of increasing the rate of FMLI coverage include attracting and retaining workers, including younger workers, to the state; enabling parents to bond with biological, adopted, or foster children; helping to meet the needs of an aging population; advancing the health of the state's workforce and workplace stability; and enhancing worker retention and productivity. Many larger employers provide paid FMLI benefits through self-insurance, but this is not feasible for most mid-sized and smaller businesses. Over 90 percent of New Hampshire and Vermont businesses have fewer than 50 employees and face difficulties associated with providing paid FMLI to their employees. The general court therefore finds that it is in the public interest for the state to strategically use its purchasing power to establish a marketplace in the state for advantageously priced FMLI wage replacement benefits.

21-I:96-b Definitions. In this subdivision:

- I. "Child" has the same meaning as "son or daughter" in 29 U.S.C. section 2611(12).
- II. "Commissioner" means the commissioner of the department of administrative services.
- III. "Department" means the department of administrative services.
- IV. "Family member" means a child, a biological, adoptive, or foster parent, stepparent, or legal guardian of the child or the child's spouse or domestic partner, a biological, adoptive, or foster grandparent or step grandparent, or a spouse or domestic partner under RSA 457.
- V. "Family and medical leave" means leave from work because of:
 - (a) The birth of a child of the employee, within the past 12 months;
 - (b) The placement of a child with the employee for adoption or fostering within the past 12 months;
 - (c) A serious health condition of a family member;
 - (d) A serious health condition of the employee that isn't related to employment; or
 - (e) Any qualifying exigency arising from foreign deployment with the armed forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)(E) and 29 C.F.R. section 825.126(a)(1) through (8), as they existed on October 19, 2017, for family members as defined in paragraph IV.
- VI. "FMLI" means family and medical leave insurance providing wage replacement benefits under specified conditions.
- VII. "Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section 2601 et seq.
- VIII. "Serious health condition" means any illness covered by the Family and Medical Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.
- IX. "State rate" means the per employee premium amount that is charged by the successful bidder or bidders for the state contract for FMLI coverage for state government employees as provided in this subdivision. The state rate shall be expressed as a percentage of wages.

21-I:96-c Contracting and Administrative Authority.

I. The commissioner may solicit proposals for, negotiate, enter into, and administer group insurance contracts with duly authorized accident and life insurance carriers as necessary and appropriate to provide to qualifying state employees, at state expense and at no cost to such employees, an FMLI plan of wage replacement as described in this subdivision. This authorization is contingent upon the acceptance of this plan through the collective bargaining process by the authorized union representatives of state employees and its inclusion in the collective bargaining agreement.

II. The state shall provide to all permanent state employees wage replacement coverage for qualified leave, which shall be available for the same types of leave as protected under the Family and Medical Leave Act. This shall include leave for:

- (a) The birth of a child and to care for the newborn child within one year of birth;
 - (b) The placement of the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - (c) Caring for the employee's spouse, child, or parent who has a serious health condition;
 - (d) A serious health condition that makes the employee unable to perform the essential functions of his or her job; or
 - (e) Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on covered active duty, or to care for a covered service-member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin.
- III. The wage replacement benefits under this FMLI plan shall be structured as follows:
- (a) Eligible employees shall receive 60 percent of their average weekly wage.

(b) The maximum duration of wage replacement shall be 6 weeks per year, with no minimum duration required.

(c) Wages used to determine the 60 percent FMLI coverage shall be capped at the amount of the Social Security maximum taxable earnings as amended from time to time.

IV. The commissioner shall establish, through his or her discretionary authority in administering the request for information and the request for proposals process, the following additional elements of the benefit structure consistent with the purposes and policy of this subdivision:

(a) The base period by which the average weekly wage shall be determined.

(b) The tenure requirement, expressed in terms of months of work, before an employee is eligible to be covered; provided, however, that no tenure requirement shall apply to an employee who has already met the requirement and then changes jobs.

(c) A waiting period or elimination period; provided, however, that a waiting or elimination period shall not be a required element of the benefit structure, and the commissioner shall have authority to implement a plan with no such requirement.

21-I:96-d State Employee Coverage Linked to Coverage Offerings for Other Employers. The commissioner shall include in the request for proposals for FMLI benefits for state employees a requirement that the winning bidder or bidders shall, as a condition of the state contract, also offer the same FMLI plan to private employers and other public employers and individual employees on the following terms:

I. Employers with 100 percent employee enrollment shall receive the state rate. In order to make the state rate available to other private and public employers, a carrier must offer the same FMLI coverage for a rate that is based on the same percentage of wages used for the state employee group which is then applied to the non-state group using the wages of each participating employee in that group.

II. Employers with 20 employees or more shall contract directly with the winning bidder or bidders.

III. Employers with fewer than 20 employees shall contract indirectly with the winning bidder or bidders through the purchasing pool for family and medical leave insurance authorized under RSA 282-B and administered by the department of employment security.

IV. Employers that have less than 100 percent employee enrollment but more than any required minimum participation rate shall receive a scaled rate approved by the commissioner based on their participation rate, provided however, that this factor shall in no case exceed the state rate by a ratio of 1.25 to 1.

V. Individuals who work for employers who choose not to offer FMLI coverage under this subdivision or who fail to meet minimum participation requirements and who do not offer an FMLI benefit that is at least equivalent to the twin state voluntary leave plan shall have the opportunity to contract indirectly with the winning bidder or bidders through the purchasing pool for family and medical leave insurance authorized under RSA 282-B and administered by the department of employment security. A community rate shall be established for this group which shall not be limited in the amount by which it can exceed the state rate. Rates for individuals in this group may vary from the community rate based only on the existence of overlapping benefits such as disability insurance or an employer's leave policy.

VI. The commissioner shall establish, through the commissioner's discretionary authority in administering the request for information and the request for proposals process, the following additional elements of the benefit structure and plan administration specifically for employees of non-state employers consistent with the purposes and policy of this subdivision:

(a) The minimum participation requirement, if any, provided however, that in no event shall the minimum participation requirement exceed 50 percent.

(b) The parameters for open enrollment periods.

(c) Procedures for contributory plans, partially contributory plans, and non-contributory plans.

(d) Procedures for payroll deduction and premium remittance.

21-I:96-e Conditions of Non-State Employer Participation. Participation in the plan by non-state employers shall be voluntary. In addition, non-state employers may choose to provide FMLI at no cost to their employees or on a contributory or partially contributory basis.

21-I:96-f Twin State Voluntary Leave Plan Joint Procurement Process. The commissioner may enter into an interstate compact whereby the department will jointly procure with the Vermont Department of Human Resources an FMLI insurance contract or contracts conforming to this subdivision, provided that each state enact appropriately similar authorizing legislation. It is the intent of this subdivision that the authority to enter into a compact and to engage in a joint procurement process herein delegated to the department and the Vermont Department of Human Resources shall constitute an exercise of governing authority that is within those powers reserved to the states under the federal constitution and shall not operate in any way as an infringement on federal authority or on the authority of any other state, nor, for this reason, shall the compact require congressional approval. The commissioner and the Vermont Department of Human Resources shall enter into a memorandum of agreement setting out the governing principles that apply to the 2 agencies and the 2 states and providing the terms and conditions for the joint procurement process. The memorandum of agreement shall be approved by the governor and council and the joint fiscal committee prior to implementation. Under this

agreement, the commissioner may issue a joint request for proposals with the Vermont Department of Human Resources to secure FMLI coverage for all eligible employees of the states of New Hampshire and Vermont and to make advantageously priced coverage available to all other private and public employers in the twin states as provided in this subdivision and in the Vermont enabling legislation subject to all of the requirements contained herein and therein. The department and the Vermont Department of Human Resources shall jointly evaluate the proposals received in response to the request for proposals and jointly contract with an insurance carrier or carriers to provide FMLI coverage. The contract with the winning bidder or bidders shall be subject to governor and council approval. The selected insurance carriers shall be licensed by the states of New Hampshire and Vermont and in good standing in both states. The selected insurance carriers shall be subject to all applicable insurance laws and regulations of the states of New Hampshire and Vermont, and the rates and forms for the FMLI contracts shall be filed for approval with the insurance commissioners of both states. If the Vermont legislature does not enact appropriately similar authorizing legislation, then the commissioner shall proceed under this subdivision on a single state basis.

21-I:96-g Family and Medical Leave Insurance Advisory Board. There is hereby established the family and medical leave insurance advisory board within the department which shall hereinafter be called the FMLI advisory board. The FMLI advisory board shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor. Three of the appointees of the advisory board shall be persons who, because of their vocations, employment, or affiliations, shall represent employers; 3 shall be persons who, because of their vocations, employment, or affiliations, shall represent employees; one shall be a senator appointed by the senate president; one shall be a representative appointed by the speaker of the house of representatives; the remaining appointee, who shall be the chairman, shall be a person whose training and experience qualify such person to deal with FMLI procurement, eligibility, benefit design, and program administration. The advisory board shall meet no later than 45 days after each calendar quarter and shall aid the commissioner in formulating policies and discussing problems related to the implementation and administration of this subdivision and RSA 282-B and in assuring impartiality and freedom from political influence. Advisory board meetings shall provide opportunity for public comment.

21-I:96-h Report and Outreach.

I. Working in coordination with the commissioner of administrative services as provided in RSA 282-B:5, I, the department shall jointly produce, on an annual basis, a summary report on the twin state voluntary leave plan. This report shall be made public and submitted to the governor, the senate president, and the speaker of the house of representatives. It shall include but not be limited to, a description of progress in carrying out the processes under this subdivision, progress in improving the rate of FMLI coverage of employees in the state, and recommendations for more fully achieving the purposes and policy goals of this subdivision.

II. Working in coordination with the department of employment security as provided in RSA 282-B:5, II, the department shall develop and implement an outreach program to ensure that employers who may benefit from sponsoring FMLI coverage for their employees and individuals who may be eligible to receive FMLI coverage under this subdivision are made aware of this program. Outreach information shall explain in an easy to understand format, eligibility requirements, benefit structures, and the process for accessing coverage and enrolling individuals.

21-I:96-i Rulemaking. The commissioner may adopt rules, pursuant to RSA 541-A, as deemed necessary for the implementation of this chapter.

21-I:96-j Program Start-up. The request for proposals for FMLI coverage as described in this subdivision shall be issued no later than September 30, 2019. The FMLI coverage as described in this subdivision shall be in place for state government employees and available for purchase by other public and private employers and individuals by July 1, 2020.

96 Exemption from State Premium Tax. Amend RSA 400-A:34, I to read as follows:

I.(a) The provisions of RSA 400-A:31 and 32 shall not apply to mutual insurance companies that operate on an assessment plan and require as a condition for granting insurance the signing of a premium deposit note by the insured, which note is given for the purpose of establishing a limit of liability to assessment, while their total receipts from policyholders is less than \$10,000 per year.

(b) The provisions of RSA 400-A:31 and RSA 400-A:32 shall not apply to premiums written by duly authorized insurance companies for family and medical leave insurance written in connection with the administration of RSA 21-I:96 or RSA 282-B.

97 New Chapter; Purchasing Pool for Family and Medical Leave Insurance. Amend RSA by inserting after chapter 282-A the following new chapter:

CHAPTER 282-B

PURCHASING POOL FOR FAMILY AND MEDICAL LEAVE INSURANCE

282-B:1 Purpose. The purpose of this chapter is to establish a group purchasing mechanism whereby employers with fewer than 20 employees and individuals who work for employers who do not offer either family and medical leave insurance (FMLI) coverage under the twin state voluntary leave plan as authorized under

RSA 21-I:96 or an FMLI benefit that is at least equivalent to such coverage will have the opportunity to purchase twin state voluntary leave plan coverage through a mechanism established by the state in conjunction with the state government employee FMLI plan.

282-B:2 Definitions. In this chapter:

I. "Child" has the same meaning as "son or daughter" in 29 U.S.C. section 2611(12).

II. "Commissioner" means the commissioner of the department of employment security.

III. "Department" means the department of employment security.

IV. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as provided in RSA 282-A:9.

V. "Employment" means wages paid for services by an employer that is covered by this chapter.

VI. "Family member" means a child, a biological, adoptive or foster parent, stepparent, or legal guardian of the child or the child's spouse or domestic partner, a biological, adoptive, or foster grandparent or step grandparent, or a spouse or domestic partner under RSA 457.

VII. "Family and medical leave" means leave from work because of:

(a) The birth of a child of the employee, within the past 12 months;

(b) The placement of a child with the employee for adoption or fostering within the past 12 months;

(c) A serious health condition of a family member;

(d) A serious health condition of the employee that isn't related to employment; or

(e) Any qualifying exigency arising from foreign deployment with the armed forces, or to care for a service member with a serious injury or illness as permitted under the Federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)(E) and 29 C.F.R. section 825.126(a)(1) through (8), as they existed on October 19, 2017, for family members as defined in paragraph VI.

VIII. "FMLI" means family and medical leave insurance providing wage replacement benefits under specified conditions.

IX. "Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, Public Law 103-3 (29 U.S.C. section 2601 et seq.).

X. "Serious health condition" means any illness covered by the federal family and medical leave act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

282-B:3 Employer and Employee Rights and Responsibilities.

I. Individuals who are employed by private employers who do not to offer either FMLI coverage under the twin state voluntary leave plan as authorized under RSA 21-I:96 or an FMLI benefit that is at least equivalent to such coverage will have the opportunity to purchase twin state voluntary leave plan coverage through payroll deduction whereby premiums are paid into an FMLI premium fund administered by the department as provided in this chapter and established in coordination with the commissioner of administrative services acting pursuant to RSA 21-I:96.

II. Employers with fewer than 20 employees who wish to purchase FMLI coverage through the twin state voluntary leave plan shall have the opportunity to purchase such coverage by making premium remittances into an FMLI premium fund administered by the department as provided in this chapter and established in coordination with the commissioner of administrative services acting pursuant to RSA 21-I:96.

III. Individuals opting into this group purchasing mechanism shall be required to make their premium remittances to the department in a manner as directed by the commissioner. All private employers who have employees who have individually opted into this group purchasing mechanism or who have, as an employer with fewer than 20 employees, opted into the mechanism shall remit FMLI premium payments to the department in a manner as directed by the commissioner.

282-B:4 FMLI Premium Fund; Administration. The department shall create and administer an FMLI premium fund for deposits of insurance premium payments paid pursuant to RSA 282-B:3 and for remittance of such premiums to the FMLI carrier or carriers participating in the twin state voluntary leave plan. The department shall develop standard enrollment procedures in coordination with participating carriers and shall transmit enrollment and eligibility information to such carriers on a timely basis. The department shall establish procedures and mechanisms for the billing and collection of premiums from employers. The department shall specify in contracts with participating carriers how all premiums shall be transmitted and the frequency of that transmission and how penalties and grace periods on late payments of premiums shall be calculated. The department is authorized to contract with qualified, independent vendors for the services necessary to carry out some or all of the duties under this paragraph.

282-B:5 Report and Outreach.

I. Working in coordination with the commissioner of administrative services as provided in RSA 21-I:96-h, I, the department shall produce, on an annual basis, a summary report on the twin state voluntary leave plan. This report shall be made public and submitted to the governor, senate president, and speaker of the house of representatives. It shall include but not be limited to, a description of progress in implementing the provisions

of this chapter, payments into and out of the fund, the number of employees in the state participating in the purchasing mechanism, and recommendations for improvement of the program and for further increasing the rate at which New Hampshire employees have FMLI coverage.

II. Working in coordination with the department of administrative services as provided in RSA 21-I:96-h, II, the department shall develop and implement an outreach program to ensure that individuals who may be eligible to receive FMLI benefits under this chapter or under RSA 21-I:96 are made aware of these benefits. Outreach information shall explain in an easy to understand format, eligibility requirements, benefit structures, and the process for accessing coverage and enrolling.

282-B:6 Rulemaking. The commissioner may adopt rules, pursuant to RSA 541-A, as deemed necessary for the implementation of this chapter.

282-B:7 Program Start-up. The FMLI premium fund shall be operational and available for use by individuals, the self-employed, and qualifying employers on a timetable that is sufficient to ensure that FMLI coverage shall be available for purchase by July 1, 2020.

98 New Section; Discrimination in the Workplace. Amend RSA 275 by inserting after section 37-b the following new section:

275:37-c Family and Medical Leave Insurance. If an employer has 20 or more employees and sponsors family and medical leave insurance pursuant to RSA 21-I:96, 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. However, employers of employees participating in the twin state voluntary leave plan authorized under RSA 21-I:96 or RSA 282-B 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.

99 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph 343 the following new subparagraph:

(344) Moneys deposited in the family and medical leave premium fund established in RSA 282-B:4.

AMENDED ANALYSIS

Replace:

35. Establishes the twin state voluntary leave plan.

Rep. Lynne Ober spoke in favor.

Rep. Lovejoy spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 223

YEAS - 159

BELKNAP

Aldrich, Glen
Fields, Dennis
Plumer, John
Sylvia, Michael

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Varney, Peter

Feeney, George
Lang, Timothy
St. Clair, Charlie
Viens, Harry

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward
Migliore, Vincent Paul

Hennessey, Erin

Ladd, Rick

Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph

Alexander, Joe
Burns, Charles

Griffin, Barbara
Burt, John

Barry, Richard
Camarota, Linda

Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Whittemore, James

Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Morrison, Sean
Pratt, Kevin
Spillane, James
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Melvin, Charles
Packard, Sherman
Roy, Terry
Torosian, Peter
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Yokela, Josh

STRAFFORD

Harrington, Michael
McNally, Jody
Beaudoin, Steven

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 223 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meader, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William

Bouldin, Andrew
Beaulieu, Jane
Bosman, James

Backus, Robert
Bergeron, Paul
Bouchard, Donald

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline

Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Operbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and floor amendment (1435h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Lovejoy offered floor amendment (1469h).

Floor Amendment (1469h)

Amend the bill by replacing section 195 with the following:

195 Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site. The sum of \$100,000 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of natural and cultural resources for the purpose of redevelopment and improvement projects at the Fort Stark historic site, including alleviating life safety issues that exist due to the type of buildings found at Fort Stark and their current condition, redeveloping the parking area by raising the grade to improve drainage and maximize capacity, providing historical interpretation and administrative rules that apply to the site, and aesthetically enhancing the site through landscape improvements including security lighting, benches, and hardscape. 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 inserting after section 266 the following and renumbering the original section 267 to read as 268:

267 Appropriation; Internet Crimes Against Children Fund; Reductions.

I. The sum of \$250,000 for the fiscal year ending June 30, 2020, and \$250,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. In order to offset sums appropriated under paragraph I, the department of education shall reduce state general fund appropriations to account 06-56-56-567010-3058, expenditure class 631-building aid lease, by \$300,000 for the fiscal year ending June 30, 2020.

AMENDED ANALYSIS

Insert:

109. Makes an appropriation to the Internet crimes against children fund.

Rep. Hatch spoke in favor.

Rep. Lynne Ober spoke against and yielded to questions.

Rep. Ley requested a roll call; sufficiently seconded.

YEAS 376 - NAYS 4

YEAS - 376

BELKNAP

Aldrich, Glen
Fields, Dennis
Plumer, John
Tilton, Franklin

Bean, Harry
Huot, David
Beaudoin, Richard
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, Harry

Feeney, George
Lang, Timothy
St. Clair, Charlie

CARROLL

Avellani, Lino
Comeau, Ed
Kanzler, Harrison
Nelson, Bill

Buco, Thomas
Cordelli, Glenn
Knirk, Jerry
Ticehurst, Susan

Burroughs, Anita
Crawford, Karel
MacDonald, John
Woodcock, Stephen

Butler, Edward
DesMarais, Edith
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Meader, David
Schapiro, Joe
Pearson, William

Ames, Richard
Faulkner, Barry
Hunt, John
Morrill, David
Tatro, Bruce
Weber, Lucy

Berch, Paul
Fenton, Donovan
Ley, Douglas
O'Day, John
Thompson, Craig

Bordenet, John
Gomarlo, Jennie
Mann, John
Parkhurst, Henry
Von Plinsky, Sparky

COOS

Craig, Kevin
Laflamme, Larry
Tucker, Edith

Fothergill, John
Merner, Troy
Thomas, Yvonne

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Ladd, Rick
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Gordon, Edward
Maes, Kevin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Hennessey, Erin
Massimilla, Linda
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Josephson, Timothy
Migliore, Vincent Paul
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Barry, Richard
Boehm, Ralph
Burns, Charles
Cleaver, Skip
Cote, David
DiSilvestro, Linda
Davis, Fred
Gagne, Larry
Greene, Bob
Harriott-Gathright, Linda
Hopper, Gary
Judy, Jean
L'Heureux, Robert
Long, Patrick
Marzullo, JP

Alexander, Joe
Backus, Robert
Beaulieu, Jane
Bordy, William
Burt, John
Cohen, Bruce
Danielson, David
Dutzy, Sherry
Fedolfi, Jim
Goley, Jeffrey
Griffith, Willis
Heath, Mary
Indruk, Greg
King, Mark
Ober, Lynne
Murray, Megan
McGhee, Kat

Bouldin, Amanda
Balch, Chris
Bergeron, Paul
Bosman, James
Camarota, Linda
Connors, Erika
Dargie, Paul
Erf, Keith
Flanagan, Jack
Gould, Linda
Hall, Brett
Herbert, Christopher
Schmidt, Janice
Klee, Patricia
Langley, Diane
Mangipudi, Latha
McLean, Mark

Bouldin, Andrew
Baroody, Benjamin
Bernet, Jennifer
Bouchard, Donald
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Espitia, Manny
Freitas, Mary
Graham, John
Hamer, Heidi
Hinch, Richard
Jack, Martin
Komi, Richard
Lascelles, Richard
Martin, Joelle
Merlino, Timothy

Mombourquette, Donna
Nunez, Hershel
Panasiti, Reed
Plett, Fred
Newman, Ray
Rice, Kimberly
Sanborn, Laurie
St. John, Michelle
Smith, Timothy
Vail, Suzanne
Whittemore, James

Mullen, Sue
Nutter-Upham, Frances
Pedersen, Michael
Porter, Marjorie
Ober, Russell
Riel, Cole
Shaw, Barbara
Stack, Kathryn
Telerski, Laura
Van Houten, Constance
Wilhelm, Matthew

Murphy, Nancy
Nutting-Wong, Allison
Petrigno, Peter
Proulx, Mark
Radhakrishnan, Julie
Rung, Rosemarie
Snow, Kendall
Stevens, Deb
Toomey, Dan
Vann, Ivy
Williams, Kermit

Notter, Jeanine
O'Brien, Michael
Piedra, Israel
Query, Joshua
Renzullo, Andrew
Newman, Sue
Sofikitis, Catherine
Lekas, Tony
Ulery, Jordan
Thomas, Wendy
Woodbury, David

MERRIMACK

Allard, James
Doherty, David
Fox, Samantha
Karrick, David
Luneau, David
McWilliams, Rebecca
Pimentel, Roderick
Saunderson, George
Seaworth, Brian
Wallner, Mary Jane
Wells, Kenneth

Bartlett, Christy
Ebel, Karen
Fulweiler, Joyce
Klose, John
MacKay, James
Moffett, Howard
Richards, Beth
Schamberg, Thomas
Soucy, Timothy
Walsh, Thomas
Wolf, Dan

Buchanan, Ryan
Ellison, Arthur
Hill, Gregory
Kotowski, Frank
Marple, Richard
Myler, Mel
Rodd, Beth
Schuett, Dianne
Testerman, Dave
Walz, Mary Beth
Woods, Gary

Carson, Clyde
Forsythe, Robert
Horn, Werner
Lane, Connie
McGuire, Carol
Pearl, Howard
Rogers, Katherine
Schultz, Kristina
Turcotte, Alan
Wazir, Safiya
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bershtein, Alan
Cali-Pitts, Jacqueline
Davis, Dan
DeSimone, Debra
Edgar, Michael
Fowler, William
Grossman, Gaby
Hobson, Deborah
Janvrin, Jason
Kolodziej, Walter
Lovejoy, Patricia
Maggiore, Jim
McConnell, Liz
Meuse, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Somssich, Peter
Vallone, Mark
Welch, David

Abrami, Patrick
Baldasaro, Al
Bunker, Lisa
Chirichiello, Brian
Thomas, Douglas
DiLorenzo, Charlotte
Edwards, Jess
Gay, Betty
Grote, Jaci
Hoelzel, Kathleen
Murray, Kate
Le, Tamara
Lundgren, David
Major, Norman
McKinney, Betsy
Milz, David
Pantelakos, Laura
Read, Ellen
Spillane, James
Wallace, Scott
Weyler, Kenneth

Abramson, Max
Barnes, Arthur
Bushway, Patricia
Coursin, David
DeClercq, Edward
Dolan, Tom
Eisner, Mary
Gilman, Julie
Guthrie, Joseph
Osborne, Jason
Katsakiores, Phyllis
Loughman, Tom
Griffin, Mary
Malloy, Dennis
McMahon, Charles
Morrison, Sean
Potucek, John
Roy, Terry
Torosian, Peter
Ward, Gerald
Yokela, Josh

Acton, Dennis
Berrien, Skip
Cahill, Michael
Cushing, Robert Renny
Desilets, Joel
Doucette, Fred
Elliott, Robert
Green, Dennis
Harb, Robert
Janigian, John
Khan, Aboul
Love, David
Pearson, Mark
McBeath, Rebecca
Melvin, Charles
Owens, Becky
Pratt, Kevin
Pearson, Stephen
True, Chris
Warner, Anne

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Higgins, Peg
Kenney, Cam
Opderbecke, Linn
Rich, Cecilia
Sandler, Catt
Treleaven, Susan

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Horgan, James
Kittredge, Mac
Schmidt, Peter
Rooney, Abigail
Southworth, Thomas
Vincent, Kenneth

Chase, Wendy
Fontneau, Timothy
Harrington, Michael
Horrigan, Timothy
Levesque, Cassandra
Perreault, Mona
Beaudoin, Steven
Spang, Judith
Wall, Janet

Conley, Casey
Frost, Sherry
Hayward, Peter
Keans, Sandra
McNally, Jody
Pitre, Joseph
Salloway, Jeffrey
Towne, Matthew
Wuelper, Kurt

SULLIVAN

Aron, Judy
Lucas, Gates
Rollins, Skip
Tanner, Linda

Callum, John
Merchant, Gary
Stapleton, Walter

Cloutier, John
O'Hearne, Andrew
Smith, Steven

Laware, Thomas
Oxenham, Lee
Sullivan, Brian

NAYS - 4 BELKNAP

Howard, Raymond

Prout, Andrew

HILLSBOROUGH

ROCKINGHAM

Costable, Michael Sytek, John
and floor amendment (1469h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Cushing offered floor amendment (1470h).

Floor Amendment (1470h)

Amend the bill by replacing section 76 with the following:

76 Department of Health and Human Services; Plan for Patients Civilly Committed to the Secure Psychiatric Unit.

I. The department of health and human services shall develop a plan for repurposing space at the New Hampshire hospital made available by the transfer of certain children and by the accelerated discharge of patients at that facility who no longer need a hospital level of care. The plan shall consider options for serving patients currently civilly committed to the secure psychiatric unit, including the following:

(a) Renovation of all or part of the repurposed space at New Hampshire hospital to make it appropriate for persons now housed at the secure psychiatric unit, along with necessary changes in clinical, security, and other activities at New Hampshire hospital; and/or

(b) Renovation or construction of a new forensic psychiatric facility.

II. The plan shall be developed in consultation with the advisory council on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed no later than June 1, 2020.

III. During the plan's development, the department shall review and consider the following:

(a) Other states that have facilities which simultaneously serve all categories of civilly committed persons.

(b) Input from the attorney general, the commissioner of the department of administrative services, advocacy organizations, professional associations, and the public.

IV. Of the amount appropriated in section 231 of this act, up to \$1,225,000 shall be used for preliminary project design and engineering of the option selected for the treatment of patients currently civilly committed to the secure psychiatric unit.

Rep. Cushing spoke in favor.

Rep. Hennessey spoke against.

Rep. Ley requested a roll call; sufficiently seconded.

YEAS 220 - NAYS 159**YEAS - 220****BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meador, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Muscatel, Garrett
Stavis, Laurel

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Sykes, George

Campion, Polly
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Connors, Erika

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David

Danielson, David
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klee, Patricia
 Murray, Megan
 Mombourquette, Donna
 Nutting-Wong, Allison
 Piedra, Israel
 Radhakrishnan, Julie
 Snow, Kendall
 Smith, Timothy
 Van Houten, Constance
 Williams, Kermit

Dargie, Paul
 Espitia, Manny
 Griffith, Willis
 Heath, Mary
 Jack, Martin
 Komi, Richard
 Mangipudi, Latha
 Mullen, Sue
 O'Brien, Michael
 Porter, Marjorie
 Riel, Cole
 Sofikitis, Catherine
 Telerski, Laura
 Vann, Ivy
 Woodbury, David

Desjardin, Kathy
 Davis, Fred
 Hall, Brett
 Herbert, Christopher
 Jeudy, Jean
 Langley, Diane
 Martin, Joelle
 Murphy, Nancy
 Pedersen, Michael
 Query, Joshua
 Rung, Rosemarie
 St. John, Michelle
 Toomey, Dan
 Thomas, Wendy

DiSilvestro, Linda
 Freitas, Mary
 Hamer, Heidi
 Indruk, Greg
 King, Mark
 Long, Patrick
 McGhee, Kat
 Nutter-Upham, Frances
 Petrigno, Peter
 Newman, Ray
 Newman, Sue
 Stevens, Deb
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
 Ellison, Arthur
 Lane, Connie
 Moffett, Howard
 Rodd, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Carson, Clyde
 Fox, Samantha
 Luneau, David
 Myler, Mel
 Rogers, Katherine
 Schultz, Kristina
 Walz, Mary Beth

Doherty, David
 Fulweiler, Joyce
 MacKay, James
 Pimentel, Roderick
 Saunderson, George
 Soucy, Timothy
 Wazir, Safiya

Ebel, Karen
 Karrick, David
 McWilliams, Rebecca
 Richards, Beth
 Schamberg, Thomas
 Turcotte, Alan
 Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
 Cahill, Michael
 DiLorenzo, Charlotte
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Read, Ellen
 Warner, Anne

Berrien, Skip
 Cali-Pitts, Jacqueline
 Edgar, Michael
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Somssich, Peter

Bunker, Lisa
 Coursin, David
 Eisner, Mary
 Murray, Kate
 Maggiore, Jim
 Meuse, David
 Vallone, Mark

Bushway, Patricia
 Cushing, Robert Renny
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Pantelakos, Laura
 Ward, Gerald

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Gourgue, Amanda
 Keans, Sandra
 Schmidt, Peter
 Southworth, Thomas
 Vincent, Kenneth

Cannon, Gerri
 Fargo, Kristina
 Grassie, Chuck
 Kenney, Cam
 Rich, Cecilia
 Spang, Judith
 Wall, Janet

Chase, Wendy
 Fontneau, Timothy
 Higgins, Peg
 Levesque, Cassandra
 Salloway, Jeffrey
 Towne, Matthew

Conley, Casey
 Frost, Sherry
 Horrigan, Timothy
 Opderbecke, Linn
 Sandler, Catt
 Treleaven, Susan

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 159

BELKNAP

Aldrich, Glen
 Fields, Dennis
 Plumer, John
 Varney, Peter

Bean, Harry
 Howard, Raymond
 Beaudoin, Richard
 Viens, Harry

Comtois, Barbara
 Jurius, Deanna
 Spanos, Peter

Feeney, George
 Lang, Timothy
 Tilton, Franklin

CARROLL

Avellani, Lino
 MacDonald, John

Comeau, Ed
 Marsh, William

Cordelli, Glenn
 Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward
 Migliore, Vincent Paul

Hennessey, Erin
 Stringham, Jerry

Ladd, Rick

Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Griffin, Barbara	Barry, Richard
Boehm, Ralph	Burns, Charles	Burt, John	Camarota, Linda
Chretien, Jacqueline	Erf, Keith	Fedolfi, Jim	Flanagan, Jack
Gagne, Larry	Gould, Linda	Graham, John	Greene, Bob
Hinch, Richard	Hopper, Gary	L'Heureux, Robert	Ober, Lynne
Lascelles, Richard	Marzullo, JP	McLean, Mark	Merlino, Timothy
Notter, Jeanine	Nunez, Hershel	Panasiti, Reed	Plett, Fred
Proulx, Mark	Prout, Andrew	Ober, Russell	Renzullo, Andrew
Rice, Kimberly	Sanborn, Laurie	Shaw, Barbara	Stack, Kathryn
Lekas, Tony	Ulery, Jordan	Whittemore, James	

MERRIMACK

Allard, James	Forsythe, Robert	Hill, Gregory	Horn, Werner
Klose, John	Kotowski, Frank	Marple, Richard	McGuire, Carol
Pearl, Howard	Seaworth, Brian	Testerman, Dave	Walsh, Thomas
Wolf, Dan	Yakubovich, Michael		

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Acton, Dennis
Baldasaro, Al	Barnes, Arthur	Bershtein, Alan	Chirichiello, Brian
Costable, Michael	Davis, Dan	Thomas, Douglas	DeClercq, Edward
Desilets, Joel	DeSimone, Debra	Dolan, Tom	Doucette, Fred
Edwards, Jess	Elliott, Robert	Fowler, William	Gay, Betty
Green, Dennis	Guthrie, Joseph	Harb, Robert	Hobson, Deborah
Hoelzel, Kathleen	Osborne, Jason	Janigian, John	Janvrin, Jason
Katsakiores, Phyllis	Khan, Aboul	Kolodziej, Walter	Love, David
Lundgren, David	Griffin, Mary	Pearson, Mark	Major, Norman
McKinney, Betsy	McMahon, Charles	Melvin, Charles	Milz, David
Morrison, Sean	Owens, Becky	Packard, Sherman	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen
Spillane, James	Sytek, John	Torosian, Peter	True, Chris
Wallace, Scott	Welch, David	Weyler, Kenneth	Yokela, Josh

STRAFFORD

Harrington, Michael	Hayward, Peter	Horgan, James	Kittredge, Mac
McNally, Jody	Perreault, Mona	Pitre, Joseph	Rooney, Abigail
Beaudoin, Steven	Wuelper, Kurt		

SULLIVAN

Aron, Judy	Callum, John	Laware, Thomas	Lucas, Gates
Rollins, Skip	Stapleton, Walter	Smith, Steven	

and floor amendment (1470h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on floor amendment (1470h) to **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures, be printed in the Permanent Journal.

Motion adopted.

CLERK'S NOTE

The entire debate on **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures, was voted to be printed in the Permanent Journal and can be found later in this Journal.

REGULAR CALENDAR - HB 2-FN-A-L CONT'D

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Ladd offered floor amendment (1473h).

Floor Amendment (1473h)

Amend RSA 193-E:2-e as inserted by section 240 of the bill by deleting paragraph VI and renumbering the original paragraph VII to read as VI.

Amend the bill by deleting sections 241 through 256 and renumbering the original sections 257-267 to read as 241-251, respectively.

Amend the bill by replacing sections 247 and 248 with the following:

247 Determination of Education Grants. RSA 198:41, III is repealed and reenacted to read as follows:

III.(a) No municipality shall receive a total education grant which is less than the total education grant received in the preceding fiscal year. This subparagraph shall not apply to a municipality in which the education tax revenue collected pursuant to RSA 76 exceeds the municipality's total cost of an adequate education or to a municipality in which the ADMA is equal to zero.

(b) For the fiscal year ending June 30, 2021, the department of education shall adjust a municipality's total education grant to an amount not to exceed 101.5 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater. However, if a municipality received no education grant in the preceding fiscal year because the municipality's education tax revenue collected pursuant to RSA 76 exceeded its total cost of an adequate education, the commissioner of the department of education shall adjust the municipality's total education grant to an amount not to exceed 101.5 percent of the amount of its education tax revenue collected in the preceding fiscal year.

(c) For the fiscal year ending June 30, 2022, and every fiscal year thereafter, the department of education shall adjust a municipality's total education grant to an amount not to exceed 102 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater.

248 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 [~~and each fiscal year thereafter~~] **through fiscal year 2019**, 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, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year [~~thereafter~~] **through fiscal year 2019**.

(e) **For fiscal year 2020, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant to that municipality for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2018 stabilization grant, if any, distributed to the municipality.** No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

Amend the bill by replacing all after section 250 with the following:

251 State Aid for Kindergarten; Appropriation.

I. For fiscal year 2020 and fiscal year 2021, the department of education shall identify school districts who as a result of sections 241 and 242 of this act received less in state aid for kindergarten compared to amounts received in fiscal year 2019. The department shall distribute a grant equal to this amount to each identified school district.

II. Grants shall be disbursed to a school district pursuant to the distribution schedule in RSA 198:42.

III. Notwithstanding RSA 198:39, the amount necessary to fund the grants under this paragraph is hereby appropriated to the department from the education trust fund. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section.

252 Reductions; University System of New Hampshire. General fund appropriations to the university system of New Hampshire in account 06-50-50-506010-1855 shall be reduced by \$4,500,000 for the fiscal year ending June 30, 2020, and by \$7,500,000 for the fiscal year ending June 30, 2021.

253 Reductions; Department of Education; Governor's Scholarship Fund. General fund appropriations to the department of education for the governor's scholarship fund under RSA 21-N:16 as established in this act, in account 06-56-56-566510-1085, shall be reduced by \$1,250,000 for the fiscal year ending June 30, 2020, and by \$3,250,000 for the fiscal year ending June 30, 2021.

254 Reductions; Department of Education; Adequate Education Aid. Education trust fund appropriations to the department of education for adequate education aid in account 06-56-56-567010-3043, shall be reduced by \$12,579,679 for the fiscal year ending June 30, 2020, and by \$94,379,820 for the fiscal year ending June 30, 2021.

255 Appropriation; Department of Education; Education Trust Fund. For the biennium ending June 30, 2021, the sum of \$16,500,000 is hereby appropriated to the education trust fund established pursuant to RSA 198:39. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

256 Effective Date.

I. Sections 1, 34, 65, 71, 72, 233, and 250 of this act shall take effect June 30, 2019.

II. Section 5 of this act shall take effect as provided in section 6 of this act.

III. Sections 76, 77, and 240 of this act shall take effect upon its passage.

IV. Section 78 of this act shall take effect November 1, 2022.

V. Sections 133-140 and 223 of this act shall take effect January 1, 2020.

VI. Sections 107-108, 243-247, and 249 of this act shall take effect July 1, 2020.

VII. Section 235 of this act shall take effect January 1, 2021.

VIII. The remainder of this act shall take effect July 1, 2019.

AMENDED ANALYSIS

Delete paragraphs 100 and 101.
 Rep. Ladd spoke in favor.
 Reps. Ford and Luneau spoke against.
 Rep. Notter requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 225

YEAS - 157

BELKNAP

Aldrich, Glen
 Fields, Dennis
 Plumer, John
 Tilton, Franklin

Bean, Harry
 Howard, Raymond
 Beaudoin, Richard
 Varney, Peter

Comtois, Barbara
 Jurius, Deanna
 Spanos, Peter
 Viens, Harry

Feeney, George
 Lang, Timothy
 Sylvia, Michael

CARROLL

Avellani, Lino
 MacDonald, John

Comeau, Ed
 Marsh, William

Cordelli, Glenn
 Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward
 Migliore, Vincent Paul

Hennessey, Erin

Ladd, Rick

Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia
 Boehm, Ralph
 Danielson, David
 Gagne, Larry
 Hinch, Richard
 Lascelles, Richard
 Notter, Jeanine
 Proulx, Mark
 Rice, Kimberly
 Whittemore, James

Alexander, Joe
 Burns, Charles
 Erf, Keith
 Gould, Linda
 Hopper, Gary
 Marzullo, JP
 Nunez, Hershel
 Prout, Andrew
 Sanborn, Laurie

Griffin, Barbara
 Burt, John
 Fedolfi, Jim
 Graham, John
 L'Heureux, Robert
 McLean, Mark
 Panasiti, Reed
 Ober, Russell
 Lekas, Tony

Barry, Richard
 Camarota, Linda
 Flanagan, Jack
 Greene, Bob
 Ober, Lynne
 Merlino, Timothy
 Plett, Fred
 Renzullo, Andrew
 Ulery, Jordan

MERRIMACK

Allard, James
 Klose, John
 Pearl, Howard
 Yakubovich, Michael

Forsythe, Robert
 Kotowski, Frank
 Seaworth, Brian

Hill, Gregory
 Marple, Richard
 Testerman, Dave

Horn, Werner
 McGuire, Carol
 Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Costable, Michael
 Desilets, Joel
 Edwards, Jess
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Lundgren, David
 McBride, Everett
 Milz, David
 Potucek, John
 Pearson, Stephen
 True, Chris
 Yokela, Josh

Abrami, Patrick
 Barnes, Arthur
 Davis, Dan
 DeSimone, Debra
 Elliott, Robert
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 Griffin, Mary
 McKinney, Betsy
 Morrison, Sean
 Pratt, Kevin
 Spillane, James
 Wallace, Scott

Abramson, Max
 Bershtein, Alan
 Thomas, Douglas
 Dolan, Tom
 Fowler, William
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Pearson, Mark
 McMahon, Charles
 Owens, Becky
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Welch, David

Acton, Dennis
 Chirichiello, Brian
 DeClercq, Edward
 Doucette, Fred
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 Love, David
 Major, Norman
 Melvin, Charles
 Packard, Sherman
 Roy, Terry
 Torosian, Peter
 Weyler, Kenneth

STRAFFORD

Harrington, Michael
 McNally, Jody
 Beaudoin, Steven

Hayward, Peter
 Perreault, Mona
 Wuelper, Kurt

Horgan, James
 Pitre, Joseph

Kittredge, Mac
 Rooney, Abigail

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

NAYS - 225 BELKNAP

Huot, David St. Clair, Charlie

Buco, Thomas Burroughs, Anita
Kanzler, Harrison Knirk, Jerry

Abbott, Michael Ames, Richard
Eaton, Daniel Faulkner, Barry
Harvey, Cathryn Ley, Douglas
Morrill, David Parkhurst, Henry
Thompson, Craig Von Plinsky, Sparky

Hatch, William Laflamme, Larry
Tucker, Edith Thomas, Yvonne

Abel, Richard Adjutant, Joshua
Diggs, Francesca Dontonville, Roger
French, Elaine Josephson, Timothy
Muscatel, Garrett Nordgren, Sharon
Stavis, Laurel Stringham, Jerry
Weston, Joyce

Bouldin, Amanda Bouldin, Andrew
Baroody, Benjamin Beaulieu, Jane
Bordy, William Bosman, James
Cleaver, Skip Cohen, Bruce
Cote, David Dargie, Paul
Dutzy, Sherry Espitia, Manny
Goley, Jeffrey Griffith, Willis
Harriott-Gathright, Linda Heath, Mary
Schmidt, Janice Jack, Martin
Klee, Patricia Klein-Knight, Nicole
Long, Patrick Murray, Megan
McGhee, Kat Mombourquette, Donna
Nutter-Upham, Frances Nutting-Wong, Allison
Petrigno, Peter Piedra, Israel
Newman, Ray Radhakrishnan, Julie
Newman, Sue Shaw, Barbara
St. John, Michelle Stack, Kathryn
Telerski, Laura Toomey, Dan
Vann, Ivy Thomas, Wendy
Woodbury, David

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Bixby, Peter Cannon, Gerri
Ellis, Donna Fargo, Kristina

CARROLL

Butler, Edward
Ticehurst, Susan DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Berch, Paul Bordenet, John
Fenton, Donovan Gomarlo, Jennie
Mann, John Meader, David
Schapiro, Joe Tatro, Bruce
Pearson, William Weber, Lucy

COOS

Moynihan, Wayne Noel, Henry

GRAFTON

Almy, Susan Campion, Polly
Fellows, Sallie Ford, Susan
Maes, Kevin Mulligan, Mary Jane
Osborne, Richard Ruprecht, Dennis
Smith, Suzanne Sykes, George

HILLSBOROUGH

Backus, Robert Balch, Chris
Bergeron, Paul Bernet, Jennifer
Bouchard, Donald Chretien, Jacqueline
Connors, Erika Cornell, Patricia
Desjardin, Kathy DiSilvestro, Linda
Davis, Fred Freitas, Mary
Hall, Brett Hamer, Heidi
Herbert, Christopher Indruk, Greg
Judy, Jean King, Mark
Komi, Richard Langley, Diane
Mangipudi, Latha Martin, Joelle
Mullen, Sue Murphy, Nancy
O'Brien, Michael Pedersen, Michael
Porter, Marjorie Query, Joshua
Riel, Cole Rung, Rosemarie
Snow, Kendall Sofikitis, Catherine
Stevens, Deb Smith, Timothy
Vail, Suzanne Van Houten, Constance
Wilhelm, Matthew Williams, Kermit

MERRIMACK

Carson, Clyde Doherty, David
Fox, Samantha Fulweiler, Joyce
Luneau, David MacKay, James
Myler, Mel Pimentel, Roderick
Rogers, Katherine Saunderson, George
Schultz, Kristina Soucy, Timothy
Walz, Mary Beth Wazir, Safiya

ROCKINGHAM

Bunker, Lisa Bushway, Patricia
Coursin, David Cushing, Robert Renny
Eisner, Mary Gilman, Julie
Murray, Kate Le, Tamara
Maggiore, Jim Malloy, Dennis
Meuse, David Pantelakos, Laura
Vallone, Mark Ward, Gerald

STRAFFORD

Chase, Wendy Conley, Casey
Fontneau, Timothy Frost, Sherry

Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and floor amendment (1473h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Weyler spoke against.

Rep. Ley spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 224 - NAYS 160

YEAS - 224 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meader, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David

Buchanan, Ryan
Ellison, Arthur
Lane, Connie

Carson, Clyde
Fox, Samantha
Luneau, David

Doherty, David
Fulweiler, Joyce
MacKay, James

McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

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Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 160

BELKNAP

Aldrich, Glen
Fields, Dennis
Plumer, John
Sylvia, Michael

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Varney, Peter

Feeney, George
Lang, Timothy
St. Clair, Charlie
Viens, Harry

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
MacDonald, John

Cordelli, Glenn
Marsh, William

Crawford, Karel
Nelson, Bill

CHESHIRE

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Whittemore, James

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael

Abrami, Patrick
Barnes, Arthur
Davis, Dan

Abramson, Max
Bershtein, Alan
Thomas, Douglas

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward

Desilets, Joel
 Edwards, Jess
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Lundgren, David
 McBride, Everett
 Milz, David
 Potucek, John
 Pearson, Stephen
 True, Chris
 Yokela, Josh

DeSimone, Debra
 Elliott, Robert
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 Griffin, Mary
 McKinney, Betsy
 Morrison, Sean
 Pratt, Kevin
 Spillane, James
 Wallace, Scott

Dolan, Tom
 Fowler, William
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Pearson, Mark
 McMahon, Charles
 Owens, Becky
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Welch, David

Doucette, Fred
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 Love, David
 Major, Norman
 Melvin, Charles
 Packard, Sherman
 Roy, Terry
 Torosian, Peter
 Weyler, Kenneth

STRAFFORD

Harrington, Michael
 McNally, Jody
 Beaudoin, Steven

Hayward, Peter
 Perreault, Mona
 Wuelper, Kurt

Horgan, James
 Pitre, Joseph

Kittredge, Mac
 Rooney, Abigail

SULLIVAN

Aron, Judy
 Rollins, Skip

Callum, John
 Stapleton, Walter

Laware, Thomas
 Smith, Steven

Lucas, Gates

and the majority committee report was adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Ley moved that the debate on **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 2-FN-A-L

Rep. Lynne Ober: Thank you, Mister Speaker. House Finance gets HB 1 and HB 2 together. We work on them together. HB 2 is known as the trailer bill. The budget, both of those bills, HB 1 and HB 2, are completely different from what the Governor sent to us. We have \$417 million more in taxes being raised out of your pocket, my pocket, your constituent's pockets. Many of those things are found in sections in HB 2. HB 2, the trailer bill, is supposed to have sections that make HB 1 work. So many agencies have sections in HB 2, but there are also sections in HB 2 that are not attributable to any certain agency. The Governor put in one-time spending using the surplus funds from this year for one-time projects into HB 2. Those sections in HB 2 were divided among the three divisions. I think you all know Finance has three divisions. We work diligently on our sections. It's the only way we can finish the budget in the time allotted to us. There's always been a gentleman's protocol that one division does not vote or take over sections belonging to another division. This year and this could have only come directly from the House Finance Chair, Division II voted to remove all the one-time projects. All the projects related to Division II, all the projects related to Division I, where I sit, all the projects related to Division III, which had the secure psych unit. In Division I we were told by our chairman that Division II had taken that vote and actually what the chair said to us is that we can put those sections back in one at a time if we choose, which sounded to me like we would do what we have done every year. Go through every section, go through every budget line item applicable to our 32 agencies and make reasonable decisions together. We got down to the last day and in all the years I have sat on Finance, I've never seen happen what happened in Division I. We had what can only be called a verbal kerfuffle and it went on and on. Republican members were not happy that many of the sections in HB 2, including the Governor's family leave plan, were having zero discussion. So, despite the fact that Division II removed the sections and we were told we could put them back in as needed and we expected to have discussions and our chairman in Division I had made specific appointments by day, by hour to come discuss, there was no discussion and we got involved in a verbal kerfuffle. Finally, a Democratic member called for a recess. Everyone was asked to leave the room who it did not affect. Myself and my two other Republican members, the Representative from Winnisquam, the Representative from Merrimack, went over to the Governor's office and he was in Keene, but he immediately agreed that his three top staff members would come over and discuss the family leave program, which the Democrats in Division I had just planned to remove with absolutely no discussion. But, as we have gone on, some of the other sections have come up. The Internet Crime Against Children Task Force is not assigned to a specific agency and although I read in the newspaper that the Democrats threw the AG under the bus for not discussing it, it's not attached to the AG. He does not fund it. He does not have anything to do with it. ICAC is stationed in Portsmouth and run by police departments. It was never discussed. They needed \$500,000. They have made in the last year 132 arrests against predators who have attacked our children. But, Division I which should have looked at this never discussed it because Division II removed all of our sections. Ways and Means asked us to delay the vaping for a year so an amendment was done, but the licensing was remained in Division II. We had the agency come and they said to do this correctly, they probably need two

new staff members and since the vaping bill still resides in Ways and Means, they can work with Ways and Means to add those staff members. So, we said how much? Two staff members costs \$160,000 with benefits. So, we said how much are you going to get from licensing vaping places? The answer was a license cost \$6 and we expect to raise it the maximum \$1,200. So, we are going to spend \$160,000 to raise \$1,200. For these reasons, plus others, the capital gains tax which passed this House had a fiscal note in Ways and Means of slightly over \$94 million in revenue. I have a simple mind, so I will raise that to \$95 million. Division II and the House Finance amendment on HB 2 spent \$150 million capital gains tax in order to beef up some of their programs in education, but Ways and Means thought we would only get at a maximum \$95 million. Where is the rest of that money coming from? For these and other reasons, I will be voting against the House Finance amendment on HB 2. Thank you, Mister Speaker.

Speaker Shurtleff: The House will be in order. The question before the House is the adoption of amendment (1403h). The Chair recognizes the member from Manchester, Rep. Heath, to speak in support of the recommendation.

Rep. Heath: Thank you, Mister Speaker. I rise today very proud to support HB 2 as amended by the House Finance Committee and I ask for your vote. HB 2 retains the educational trust as a separate fund and protects adequacy dollars for New Hampshire schools. It also funds full day adequacy funding for kindergarten, which we passed here in this body as HB 184. Our budget funds, stabilization grants and FY2020 and in FY2021 presents a new targeted aid formula based on district specific poverty factors and adds \$160 million to provide needed aid to struggling school districts. 154 communities in our state will see an increase in funding. 34 will see a decrease because of the manner in which full day kindergarten is funded, however those towns keep their SWEPT dollars. If Franklin used their additional 2.5 million for tax relief, there could be as much as 17% property tax decrease. This bill incorporates HB 709 and HB 686 that this body passed, which extends the capital gains and raises significantly personal exemptions. Our budget restores building aid, fully funds special ed, formerly known as catastrophic aid, which we haven't seen a reimbursement at a 100% for many years, and fully funds career and technical education tuition and transportation so that more students can access our CTE programs, Career, Technical Education programs across the state. This bill also increases funding for our Community College System of New Hampshire by \$20 million and the University System with an increase of \$12 million and freezes tuition for FY2021 and we also funded \$14 million in scholarships. In the Department of Transportation, we filled a \$15.5 million deficit and funded \$14.5 million for fleet equipment replacement for aging snowplows and trucks to keep our New Hampshire roads safe. We heard from our towns and cities concerned about school funding and while this bill doesn't solve all the issues, it's a great first step and that is why we provided funding for a commission charged with finding a better solution to fulfill our constitutional promise to cherish education in New Hampshire. So, Mister Speaker and honorable colleagues, I ask for your support for a budget that better supports New Hampshire children and keeps our New Hampshire citizens safe and I thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1403h). The Chair recognizes the member from Kingston, Rep. Weyler, to speak against the recommendation.

Rep. Weyler: Thank you, Mister Speaker. I rise to oppose this amendment to HB 2. This process was a little bit muddled at the beginning. We got HB 2 late. We got the revenue estimates late. The revenue estimates at first showed a difference of \$51 million. That was about .5% that had to be resolved, but instead of cutting or taking care of that \$51 million we were told more money is coming and then we were told the capital gains tax was going to bring in \$150 million. Well, when it left Ways and Means they had decided it would bring in \$94 million. Then it gets to us a few days later and suddenly it's \$150 million. Then you think about it and you talk to a few people that are in business. A successful business man makes \$1 million in buying and selling things, that's capital gains. He pays 15% tax to the IRS and pays 7.9% on business taxes to the state. So, now we think we can go back and tax that same money again? So, oh you made a \$1 million and we want 5% capital gains. Oh, good, give me back 7.9% I gave you for business profits tax and I'll pay you 5%. So, I think we are looking to tax things that are already been taxed. I don't think it will work, but that's being used to add \$200 million to the education funding. I don't think we need to add that. In the 12 budgets I have worked on, this is an amazing year. The natural gain, the natural gain I'm talking about without a new tax, without any new fees, the natural gain was almost a \$1 billion for biennium over biennium. I've usually seen \$300 million or \$500 million increase because of inflation and new businesses and so on, but never this much. This is partly a result of the 8% tax on repatriation of profits from overseas. It's also partly a result of the tax cut of the business taxes in New Hampshire. I begin to think maybe we've hit the peak on the Laffer curve, by cutting taxes. Why would we want to increase them? If we are already in an ideal situation, the economy is doing well, why do we need to spend more money than what we brought in, which is almost \$1 billion more? That's going to take care of all the agencies that need a little more here and a little more there and the opioid crisis and all these other things. We don't need to have any more new taxes. We are in an ideal situation. Let's not mess it up. The Education Trust Fund, I was there when it was designed. If you have money in a fund that is a dedicated fund, you can't use it anywhere else. So, we made sure that the Education Trust Fund was always underfunded because if it got surplus, you had money you couldn't use

anywhere else, but if you always plan to fill it up with a little bit of general fund then you had some flexibility. But now this one comes in because of the excellent revenue on the business taxes, you have \$63.6 million more in the Education Trust Fund than we planned on. So, we are going to use that this year to help education and go into things which we normally funded with general fund, building aid, special ed, transportation and tuition. Those things can now be used out of that money, but in future, we should do away with the Education Trust Fund. It was there to assure the court that yes, we are serious, we are going to pay adequacy. We are going to pay it. I think after 20 years they're convinced, yes, we are serious. We are going to keep paying the schools. We don't need to have a separate fund because even at the end, with a projection now at the end of this biennium, they'll be \$28 million in surplus in the Education Trust Fund. That means there is money you can't use anywhere else. You just heard we need new snowplows. We need more money going into DOT because the gas tax doesn't bring in as much money as their expenses. It used to be fine to cover them. It grows at about 2% per year, but their expenses grow almost 5%. Prices of everything goes up and we just go up about 2% on the gas tax. It's not enough because everybody has got better mileage and some people are driving electric cars. Those don't pay as much as they used to. So, yes, DOT revenues are running behind. We put in a little general fund the last budget and we will put in more this time. Otherwise, what will we do when we get these winter storms and we've had more than our share this year. So, there are needs there that need to be covered that I would hate to have \$28 million at the end of the biennium while we get record winter storms and we can't use it anywhere else. So, there is a lot of things that I disagree with in HB 2, but those are the highlights. I'm not in support of this and I hope you vote against HB 2. The HB 2 as it came to us was better. Please vote no and push red. Thank you.

Speaker Shurtleff: The Chair recognizes the member from Hanover, Rep. Nordgren, to speak in support of the recommendation.

Rep. Nordgren: Thank you, Mister Speaker. I might even try this without my bifocals. I have really large print. One of the things that Division III tried to do in both the Department of Children and Families and the Mental Health Plan was to frontload services for people in need and children at risk so that they don't end up in protective situation with children and family or in the state hospital. So, as I go through the different things we did in HB 2, I hope you will realize a lot of these appropriations we made will help with community access for people. HB 2, Division III budget was created to address ongoing issues within the Health, Human Services Department. HB 2 enables the Health and Human Services Department to make progress in many areas, but these are the highlights. We were able to include goals for the first two years of the ten-year mental health plan. It is our belief that community-based services will provide much needed care before the need to be in a hospital setting. Included in that plan, HB 2 appropriates \$2 million for rate increases and construction of designated receiving facility beds. One of the issues brought to our attention was the need to provide reasonable rates for these beds so we might make more options available across the state. HB 2 also appropriates \$5.5 million for a new treatment facility for children in need of acute psychiatric treatment. It is our understanding that progress is being made to move the 24-bed unit from the New Hampshire Hospital to a more appropriate setting. HB 2 appropriates \$2.775 million for the repurposing of the current children's unit as usable space for adults. In order to provide more community-based options for mental health patients, we have also included 20 new transitional housing beds by including \$2.5 million in our budget. We appropriated \$1 million in the current fiscal year to immediately assist hospitals struggling to accommodate patients in emergency rooms waiting for admission to the New Hampshire Hospital. We also have included a Medicaid dental plan for the last five months of the budget. This is for adults. HB 621 was included in HB 2 and it provides staff and consulting fees for Health, Human Services staff and the Children and Family Department to evaluate at risk children and we have also included that in our budget. We've included \$1 million funding for the possible loss of federal funding for family planning organizations. The county cap for money paid to the state for elder care by the counties was raised to 9.7% in the Governor's budget. We have kept the rate at 2.5% for the next two years. Developmental services will also be funded to eliminate the projected waitlist and we proposed a rate increase for those providers. The Sununu Youth Services Center in Manchester is funded at their current level with the continuing provision for them to go to the fiscal committee if needed. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1403h). The Chair recognizes the last speaker, the member from Stratham, Rep. Lovejoy, to speak in support of the recommendation.

Rep. Lovejoy: Thank you, Mister Speaker. HB 2, which is also referred to as the trailer bill contains the changes to statute that are necessary to makes HB 1 work. Our approach to HB 2 has been to include only those items that are needed to enable HB 1. We have endeavored not to include changes to policy that had not been vetted by the policy committee. One exception that we made in Division I was that we retained the Governor's initiative on public bathing facilities. This section sets up training and self-certification for all owners of public pools and spas, along with registration fees and spa inspections by the Department of Environmental Services. The reason that we kept this in HB 2 was a life safety issue. As most of you may remember last August, somebody died in Hampton due to contamination of a pool/spa facility. So, in Division I we kept this section. We did it because we did not want to delay inspections for another year. The following are highlights of HB 2 that relate

to the work that we did in Division I. HB 2 addresses the needs of our municipalities in several ways. Revenue sharing, that has not been funded since 2008, is funded in year two of the budget at \$12.5 million, which will benefit all of our communities. State aid grants for wastewater treatment plants that have been fully completed as of December 2019, have been funded. This includes 28 projects funded at \$5.7 million for the biennium. Affordable housing is one of the issues that is very critical affecting all of our businesses and communities. Five million has been added to the affordable housing fund in 2020. The Coos County job creation tax credit program has been extended by 5 years and a \$1 million revolving fund has been set up to help cash strapped municipalities in applying for community development grants. A farm conservation account that is funded with \$750,000 and is eligible for matching federal funds, will help our communities preserve open farm land. This budget maintains the business tax rates at our current level, repealing future cuts to the BET and BPT. The health and welfare of our citizens is strengthened by inclusion of a family and medical leave program that covers all private employees who are not currently covered by a private FML plan. This program has been fully vetted by one of our policy committees. It's HB 712 and has passed the house. The Governor's regulation and licensure of E-cigarettes has been retained in year 1 of the budget and we have postponed the taxation until year 2 of the budget, thereby giving the Liquor Commission and Ways and Means the time to properly implement the process of taxation. New Hampshire has been awarded a HAVA Grant, which is Help America Votes grant of \$3.1 Million. HB 2 includes the state match of \$155,000, a pretty good deal, \$155 and we get \$3.1 million and it also includes the enabling language. Please support HB 2, the trailer bill that makes HB 1 work by pressing the green button. Thank you.

Speaker Shurtleff: Will the member yield to a question? The member does not yield. The question before the House is the adoption of amendment (1403h). Rep. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call. Members will kindly take their seats. Members will take their seats. Just a reminder not to use a cell phone inside this chamber for communications purposes. The question before the House is the adoption of amendment (1403h). The Chair recognizes Rep. Packard for a parliamentary inquiry.

Rep. Packard: Thank you, Mister Speaker. If I know that one-time spending should be in HB 2. The Governor's capital infrastructure revitalization fund, which was in HB 2, was deleted. So, that one-time spending could go into growing government in HB 1. If I know that we are lucky to have economic conditions that allow revenue to exceed expectations in our last budget and that we should be saving money by putting more in the rainy-day fund, but this bill, as amended, reduces the amount put into the rainy-day fund by \$20 million so that the rest can be spent now to grow government. If I know now is not the time to turn our backs on our job creators by reversing course on meaningful business tax reform that will keep jobs and businesses in New Hampshire. If I know now is not the time to establish a tax on capital gains. A tax that will siphon \$150 million out of our economy. And, if I know that establishing a government run family leave program that will be funded by .5% tax on wages is the wrong direction for our state. And, if I know that this budget proposes over \$400 million in new taxes, which is completely opposite of tax relief, would I now press the red button to oppose this deeply flawed budget that taxes and spends us at record levels? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1403h). The Chair recognizes Rep. Wallner for a parliamentary inquiry.

Rep. Wallner: Thank you, Mister Speaker. Mister Speaker, if I know this amendment produces a balance budget that funds the needs of our state and our communities. And, if I know this amendment includes the policies to make the state budget work, would I now vote yes?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of amendment (1403h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 222 members voting Yea and 159 voting Nay, the amendment is adopted. HB 2 is on second reading and open to further amendments. The Chair recognizes Rep. Ladd to introduce amendment (1417h) found on page 75. Rep. Ladd.

Rep. Ladd: Thank you very much, Mister Speaker. We all know about stabilization, so I am not going to go into the policy side, just deal exactly with the money. This bill or this amendment changes level funding of stabilization for FY20 to the level we funded it in FY18, 92%. What we have in the HB 2 as presented by the committee is that we restored to the level FY16. The difference between those two sums of money are \$25 million, a little over \$25 million, to restore to the level of FY16 and about \$12.5 million to restore half of that for the level of FY18. This is an important component of our process procedure we have established through both the Education Committee and Finance to resolve the adequacy funding issues, which we have. Stabilization is the first component for FY20. It's the starting step. FY21 is comprised of an interim bill, which was initially put forth as HB 709 and now incorporated into HB 2. And, finally, there is a study commission to resolve where we're going to go in the future in terms of funding adequacy throughout the state. What we have is this 3-pronged process right now and why I have introduced this amendment which deals with putting our stabilization at FY18 amount or \$12.5 million. That's how it was initially put forth in HB 177 by myself and a number of other people on that bill which included people from both sides of the aisle. It was

incorporated into HB 709 now into HB 2. Why we have put this forward to reduce it in half is that we are looking at the funds to support adequacy down the road and funding adequacy through a capital gains tax of \$150 million, which we are not sure where those revenues are coming from or whether they are accurate, is not sustainable and it's not the way to address how we are going to support our students in schools. As this amendment has been presented, towns like Claremont would receive \$500,000 in addition on top of what they have received in FY19 during FY20. Manchester will receive another \$1 million. This is money that we have to be careful of. I learned it in Finance 101 for school administration and it's the same policy that the federal government follows. When you have money coming in through a Title I grant, you don't use it to replace a program you have going in your schools right now, labor costs, programs, services, you supplement. This program, which we have here, stabilization for FY20 is a hole trying to stop some of the issues which we see within our schools, however, it should not be used to get in the issue of contracts, labor contracts, for programs that in FY21 or later when the final product comes out, they may not receive the same amount of money. There is going to be that waterfall effect. How are you going to deal with that? So, in conclusion, no towns that are receiving stabilization right now will receive any less. They will receive more. In fact, twice as much through this returning it to FY18 level. FY16 level is excessive and it's going to get us in trouble when we go into the next step and try to deal with HB 709 now in HB 2 when we are looking at FY21. FY21's are built upon the base figures in FY20. If we get those FY20 figures up here, that's where we are coming out and fund more and more and using capital gains which is absolutely the wrong direction. It's anti the advantage we have in this state. It's going to destroy businesses in this state and it's going to destroy the culture that we have so I ask you to support (1417h) as presented here today. Thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1417h). The Chair recognizes the member from Hopkinton, Rep. Luneau, to speak against the recommendation.

Rep. Luneau: Thank you very much, Mister Speaker. I'm here to speak against the proposed amendment. It's not what the Education Committee recommended and it's not what received strong bipartisan support in this body just a month ago. This is an easy one to deal with. It reduces the stabilization grant. The thing that props up the currently totally flawed education funding formula by 8% when compared to what's in the current budget, what's in the budget. Yes, you heard that right. It actually reduces state funding for education. We didn't hear any of that during our 4 hours of hearings in the Education Committee. Most cities and towns have already voted on their school budgets for next year. The expense lines for schools have been debated, voted on and are now set. Can't change how much they are going to spend so where would the stabilization money go? Well, unless the school district calls for a special meeting, it goes to property tax relief. That's right. Property tax relief, dollar for dollar. I guess the money has to come from somewhere. Big companies like Apple, Amazon and Wal-Mart or your constituents. Property tax payers. You make the call. I'm going to vote no.

Speaker Shurtleff: The question before the House is the adoption of amendment (1417h). Rep. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the house is the adoption of floor amendment (1417h). The Chair recognizes Rep. Steven Smith for a parliamentary inquiry.

Rep. Steven Smith: Thank you, Mister Speaker. If I know that I have been here long enough to see the brilliant infallible ideas that many of us had six or eight years ago not quite pan out the way we thought they did. If I know that this issue is so important that it is turning out hundreds of people for local meetings and driving the results of local elections. Mister Speaker, if I take that seriously and I want to ensure the bipartisan success of HB 709 by basing it on things we know we can do today, then would I support this amendment to give it the best chance of success?

Speaker Shurtleff: The question before the House is the adoption of floor amendment (1417h). The Chair recognizes Rep. Myler for a parliamentary inquiry.

Rep. Myler: Thank you, Mister Speaker. If I know that the House Education Committee voted in a bipartisan 17-3 vote to establish the year of 2016 as a basis for the education stabilization grant for 2020. And, if I know that on February 27th of this year, this House in a bipartisan vote of 268 to 90 to enact HB 177 and the year of 2016 as a basis for the stabilization grant. And, I believe that the reason for the bipartisan support for the 2016 stabilization grant was based on the belief that the need to provide immediate infusion of money to the neediest school districts of our state, would I now press the red button and send a message to these school districts that this body cares about them and the fiscal crisis they face? Thank you, Mister Speaker.

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of floor amendment (1417h). If you are favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 157 voting Yea and 221 voting Nay, the adoption of the amendment is defeated. The bill is now on second reading and open to further amendment. Rep. Ober moves floor amendment (1435h) found in your seat pockets and she is recognized to speak to her amendment.

Rep. Lynne Ober: Thank you, Mister Speaker. Amendment 2019-1435h does two things. It replaces sections 95 to 97 in HB 2 with this amendment, which is the Governor's family leave plan. A year ago, in Division I we extensively examined the family leave plan and what it's going to be. The plan we rejected is currently in

HB 2. This plan is very close to what we came up with. This plan is based on the very successful model that has been used in New York State for a number of years. It recognizes that individual insurance companies do a better job of selling insurance than a state. The plan that's in HB 2 will not provide family leave until late 2022. That's assuming there is no delay in developing a computer system so it's more likely going to have family leave in 2023. It taxes everyone's income even people not eligible for family leave. In my district and probably in your district, are many summer activities that are only open part time or winter activities such as ski resorts that are only open part time. In my district the kids all work at Canobie Lake Park, but there is Water Country on the coast. There's a lot of ski districts, ski resorts where kids work. They are going to be taxed and they are never going to be eligible for family leave. Camp counselors are going to be taxed. Under this proposal, it is not mandatory, and it is not taxed income. I was told that we've never seen this happen. New Hampshire currently has a very successful partnership with Ohio State that runs our ABLE accounts, known as New Hampshire STABLE and found on the GDC website. So, we have partnered with other states successfully and we have lowered costs for our constituents. This plan would offer family leave by July 1, 2020, three years earlier. If you believe in family leave as I do, but you believe that it should be a personal choice as all benefits are, then I urge you to vote red on what's in HB 2 and green for this amendment. Let's have family leave that is not mandatory that does not tax incomes and that will be available in 2020 and not as far off in the future as 2023. Vote green on this amendment.

Speaker Shurtleff: The question before the House is on floor amendment (1435h). The Chair recognizes the member from Stratham to speak against the amendment, Rep. Lovejoy.

Rep. Lovejoy: Thank you, Mister Speaker. This amendment replaces a family and medical leave program that covers all private employees in the state with a family and medical leave program that has been fully vetted by a policy committee and has been passed by this House and it replaces it with a family and medical leave program that covers state employees in Vermont and New Hampshire and which has an opt-in for private employers. The twin-state program has not been vetted at all by a policy committee. Insurance companies that have been responding to the Governor's twin state plan raised feasibility questions about the proposed program design and its potential cost. None of the companies providing information to the Governor were able to provide pricing estimates for employees in the private sector because of the uncertainty surrounding the composition of a voluntary insurance pool. The kind of voluntary product proposed by the Governor does not currently exist for family and medical leave insurance products in New Hampshire, Vermont or any other state. HB 2 as originally submitted by the Governor in addition to this twin state program contained 20 sections covering 14 pages on multi state welfare arrangements. These sections, which have also not been vetted, are needed to make the twin state program work for small employers to have direct access to the program. This amendment doesn't include those sections. Please reject this amendment and keep meaningful medical and family leave intact by pressing the green button. Thank you. Excuse me, the red button.

Speaker Shurtleff: The question before the House is the adoption of floor amendment (1435h). Rep. Hinch has requested a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of floor amendment (1435h). The Chair recognizes the member from Londonderry, Rep. Packard, for a parliamentary inquiry.

Rep. Packard: Thank you, Mister Speaker. If I know that this amendment would remove and replace the section of HB 2 that would implement a .5% tax on wages that would siphon \$168 million out of pockets of employees and employers each year across the state. If I know this amendment would remove and replace the flawed government run insurance program that would cost \$15 million to develop, \$ 6 million plus per year to administer and require 40 new employees to run, none of which have been funded in HB 1. If I know the plan contained in this amendment would establish a voluntary and viable program administered by real insurance companies, not the government and would create the benefit supporters are looking for without the tax, without the mandate and without growing government at taxpayers' expense, would I now press the green button to move forward on the right path to family and medical leave insurance? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1435h). The Chair recognizes the member from Concord, Rep. Wallner, for a parliamentary inquiry.

Rep. Wallner: Thank you, Mister Speaker. If I know that the family medical leave program that is in HB 2 is HB 712 which passed on the floor of this House on February 17. And, if I know that HB 712 had a public hearing, it had work sessions and it passed in the House Labor Committee and was adopted by this House. And, if I know that the Governor's twin state plan unlike HB 712, has not had a public hearing or been vetted by a policy committee, would I now vote no on this amendment and push the red button?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of amendment (1435h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 159 members voting Yea and 223 voting Nay, the amendment is not adopted. HB 2 is on second reading and open to further amendment. Rep. Lovejoy moves floor amendment (1469h) found in your seat pockets. The Chair recognizes the member from Gorham, Rep. Hatch, to speak to that amendment.

Rep. Hatch: Thank you, Mister Speaker. Simply, this amendment will appropriate \$500,000 to the New Hampshire Internet Crimes Against Children Task Force. This program was established to allow the law enforcement agencies from multi-jurisdictional organizations to work in tandem for the prevention, interdiction and investigation and prosecution of Internet crimes against children. This is being funded by budget transfers of \$200,000 from the Fort Stark Historic Site after assuring the \$100,000 left in their budget is ample to address any life safety issues there. There is also a \$300,000 transfer from the class 631 building aid and lease knowing that it is still viable with a remaining appropriation. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1469h). The Chair recognizes the member from Hudson, Rep. Lynne Ober to speak against the recommendation.

Rep. Lynne Ober: Thank you, Mister Speaker. My favorite State Rep said one should not use logic at the podium and I'm happy to say this is going to be totally illogical. I've been here for 8 terms. This is my 15th year. For the very first time I'm standing up to speak against an amendment that I'm going to vote for. Does that sound logical to you? No. The problem I have with this amendment is the money. The Governor has originally proposed \$360,000 to repair Fort Stark which is open to the public because of life safety issues. There is basically no park staff there so people are at risk. Division I didn't have that much money and gave Fort Stark \$300,000. This is going to appropriate out of that \$300,000, \$250,000 from Fort Stark, but then it can't leave \$100,000 for Fort Stark. The budget already spends \$382 million more than what the Governor proposed and now we are adding another \$50,000 onto it. So, while I'm totally in favor of funding ICAC and I was against the way Division I handled it when we handled the budget, I am very concerned about the money in this amendment. So, even though I plan to vote yes on this amendment, I wanted to bring that disparity to your attention. Thank you, Mister Speaker.

Speaker Shurtleff: Will the member yield to a question? Rep. Baldasaro, you may inquire.

Rep. Baldasaro: Thank you, Mister Speaker. Thank you, Representative, for taking my question. Earlier today you gave a great speech over there about the Internet crimes that nobody discussed in the committee and it wasn't funded. Now all of a sudden, I see this amendment showing up. I want to thank you personally. Is that what is going on with this now? You opened up a can of worms and put this back in?

Rep. Lynne Ober: I think this Speaker will gavel me out of order. I believe it was Rep. Altschiller who opened up the can of worms. I just happen to support her position that we should fund ICAC. They need \$500,000. They do good work. I just don't support the funding that is here. Thank you for the question.

Speaker Shurtleff: The Speaker would never equate any legislation to a can of worms. We'll just let it go at that. I thank you the gentlelady from Hudson. Rep. Ley has requested a roll call vote. Is that sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of floor amendment (1469h). The Chair recognizes Rep. Lovejoy for a parliamentary inquiry.

Rep. Lovejoy: Thank you, Mister Speaker. If I know that the New Hampshire Internet Crimes Against Children's fund is doing critical work to protect New Hampshire's children from online predators. And, if I know that this \$500,000 funding is critical to the operation of the New Hampshire Internet Crimes Against Children Fund. And, if I know that none of the buildings at Fort Stark with the exception of the visitor's center, are open to the public now or would be open to the public if the full funding of \$360,000 that they requested were funded, would I now press the green button? Thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1469h). This will be a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 376 voting Yea and 4 Nay, the amendment is adopted. HB 2 is on second reading and open to further amendment. Rep. Cushing moves (1470h) found in your seat pockets. The member from Hampton is recognized to speak to that amendment.

Rep. Cushing: Thank you, Mister Speaker. Members of the House, I want to acknowledge the work that was done by Division III and the bipartisan recommendation that they came to on the recommendations for Health and Human Services. I think we all know that we have a behavioral health, we have a mental health crisis here in the State of New Hampshire and what is included in HB 2 is a recognition that you have to deal with that along with a continuum of prevention, of early treatment, of hospitalization, of community support afterwards. But, for too long, the State of New Hampshire, for 35 years, one of the sad aspects of our mental health policy is that for those who are the most vulnerable, the most severely impacted by mental illness such that they are a threat to themselves or others end up being treated not in a therapeutic hospital, but end up being held inside the walls of the state prison in the secure psychiatric unit. It's time to change that. There was a study commission in 2005 that recommended repurposing a building and creating a place for civilly committed who've never committed a crime. The legislature, after the 2005 study committee, failed to fund that. I chaired a study committee in 2010 that recommended building a small hospital adjacent to the current hospital. The legislature after that failed to do that. This is the year that we have to put an end to the criminalization of people with severe mental illness. What the proposed amendment does is direct \$1.25 million to be used for development, engineering and planning to prepare for the construction of a facility,

whether it is recycling of a portion of the New Hampshire hospital or building a new facility afterwards. What we need is a plan and we need to put some real money on the table. I urge the body to please support this floor amendment.

Speaker Shurtleff: The question before the House is the adoption of amendment (1470h). The Chair recognizes the member from Littleton to speak against the recommendation.

Rep. Hennessey: Thank you, Mister Speaker. I agree with the Representative from Hampton on what he just said. We have been studying this for years now. What this amendment does and if you don't know where section 76 of HB 2, it's on page 27 by the way, is it basically plans a hospital. In our original HB 2, the Governor put \$26 million into planning and building a hospital. The Representative from Hampton wants real money. That is real money. \$26 million is real money to build a hospital. We know as a state we need it. What we don't need is another plan, so I will be voting against this amendment. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the house is the adoption of floor amendment (1470h). Rep. Ley moves for a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of floor amendment (1470h). The Chair recognizes Rep. Nordgren for a parliamentary inquiry.

Rep. Nordgren: Thank you, Mister Speaker. If I know that the \$26 million 60 bed price tag was too soon. If I know that this amendment will start the process to move the secure psychiatric unit to an appropriate site. And, if I know this process will also involve an advisory council and the Department of Health and Human Services. And, if I know that site plans and architectural plans will be included, would I now vote yes and pass this important amendment? Please press the green button.

Speaker Shurtleff: The question before the House is the adoption of amendment (1470h). The Chair recognizes Rep. Hennessey for a parliamentary inquiry.

Rep. Hennessey: Thank you, Mister Speaker. If I know that the Commissioner of Health and Human Services came before Division III and said, we need a hospital. If I know that the New Hampshire hospital came before Division III of Finance and said that the beds vacated by the children in New Hampshire hospital will not work for a secure psychiatric hospital. And, if I know that this amendment does not fund a secure psychiatric hospital, would I now press the red button? Thank you, Mister Speaker.

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of floor amendment (1470h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 220 voting Yea and 159 Nay, the amendment is adopted. The Chair recognizes the member from Londonderry.

Rep. Baldasaro: Thank you, Mister Speaker. Mister Speaker, you're a good man there by recognizing them children. I'd like to make a motion. I'd like to make a motion to print the debate in the Journal, the past debate.

Speaker Shurtleff: You're moving the debate. Did you want all the debate on HB 2?

Rep. Baldasaro: No, on the last amendment.

Speaker Shurtleff: On the last amendment. The question before the House is the motion by the member from Londonderry that the debate on the last amendment be placed in the Permanent Journal. Are you ready for the question? All those in favor, say Aye, opposed, Nay. The Ayes have it and it will be placed in the Permanent Journal. Rep. Ladd moves floor amendment (1473h) found in your seat pockets and the member from Haverhill is recognized to speak to his amendment.

Rep. Ladd: Thank you very much, Mister Speaker. As a member of the House Education policy and then getting involved with some of what's happening here in Finance, I have a real appreciation for what we have gotten from the Legislative Budget Assistant's Office. I think we all have utilized them, and they have been supportive of every one of us and they do deserve that acknowledgement. Getting on to this amendment, (1473h). This amendment addresses the, basically the whole adequacy formula for FY21 and as with my family budget, I taught my children you can't spend what you don't have, and we've got to identify the difference between wants and needs. There are so many difficult decisions we have to make on behalf of education here so let go down and through and try to explain to you what we've got in this particular amendment. We've discussed some of this before in policy where we have a commission to study the third step that I spoke of earlier today at the tune of about \$500,000. That has been taken out of this amendment. The commission is still there, but there is no revenue for the commission. The next part that is significant within this bill is that it eliminates capital gains tax. It strips out the \$150 million from this support in the formula. It goes on to identify what we spoke about earlier today, the stabilization. We were told by the LBA that it had to be in both parts of these two amendments I'm speaking on, so I won't go through that again. It restores stabilization to the level of 2018, that be the \$12.5 million. Within the HB 709, which became part of what we are talking about today in the trailer bill, the bill as presented by myself and a number of other people from both sides of the aisles, had a cap in it. And, the cap at that time for the targeted aid. Now, for some of you probably don't have a thorough understand how we are proposing that funding be proposed for the future here and all of us on the Education policy supported this formula. We were getting hung up on is where the money comes from. That's where we are hung up. The first part is our base adequacy and our differentiated aid. You are

all familiar with that. That goes on the CPI, adjustments are the same and that money will continue moving forward. Then we had an area looking at going back and identifying fiscal capacity disparity aid. That was taken from the old 2008/2011 version, only we used equalized valuation per pupil. That's targeted. And the last portion also is targeted enhanced aid based upon the free and reduced, poverty within communities. The targeted aid, those last two categories I spoke about, can be capped unopposed to opposite to what you can do for the top two, the base adequacy and differentiated aid which constitutionally every child deserves the same amount of money. So, the cap is 120%. 120% generates a lot of money. When I introduced the bill, my bill came forward with 101.5%. That increased the cost of approximately \$10 million. 120% you up close to \$100 million. This is where things get very difficult in making the decisions. We know that some money has to be put forward to support our education process. How much is the question? I don't believe we need that type of dollar on an intermediate bill. A bill which may dissolve and go away in two years' time if the committee, if this moves forward, the commission without dollars, but they can do that as we did back in 2008. If they come forward with a plan, a plan that will change how we fund education. We are doing it all per capita wise now and that doesn't work. We need to be looking at program, budgeting for education. What services are required and what differences do we have between some of these towns that have these significant disparities. So, the cap along with the stabilization reduced to 101.5% would save \$107 million. That would just come out, yet school districts would still be receiving approximately 1/3 more in terms of what they were receiving before. In other words, if it was \$1 million, they would be getting \$3 million. What this does, it goes on beyond the cap and provides a hold harmless within it. That's a grant to municipalities who see a decrease in kindergarten funding from FY19 to FY20 and FY21, changes the "kenogarten" to full adequacy for kindergarten. So, this bill as it is being presented right here, I amended myself, supports full day kindergarten. We all recognize those students are students deserving a full time and being placed in the adequacy formula. We also have the areas which we're maintaining in this, the special ed aid as presented remains. Tuition and transportation remain. The bill building aid remains. So, the changes we are seeing are internal where we are reducing the \$107 million for FY21. That also does not require where we are getting the added funds to support the ability to reduce and eliminate the capital gains. We are reducing the Governor's scholarship program for a \$4.5 million over a biennium. That reduces FY20 to \$1.25 and the amount in the subsequent FY21 would be \$3.25 reductions. It reduces the amount of adequacy as I talked about by \$107 million and we take from the Education Trust Fund balance \$16.5 million. Remember it was spoken by a previous Representative here where we have \$28 plus million there. That money should be used for education, not turned around and used for something else. Also, we are taking from the University System of New Hampshire \$12 million over the biennium and that's a reduction of \$4.5 million and \$7.5 million over the two years I'm talking about. The Governor's scholarship program has a surplus or balance of or more than \$2 million right now. So, the reduction we took there is not going to really cause the harm that we would see if we didn't fund our K-12 population to what we need. So, in conclusion we are very supportive of students. I am very supportive of students and education; however, we have to fund it with a known commodity that's going to be sustainable and at the same time not ruining that engine, small business, which keeps this state moving forward. Small business and education go hand in hand. Thank you very much, Mister Speaker.

Speaker Shurtleff: Will the member yield to a question? The member does not yield. The question before the House is the adoption of amendment (1473h). The Chair recognizes the member Easton, Rep. Ford, to speak against the recommendation.

Rep. Ford: Thank you, Mister Speaker. As I read over this amendment I was struck by the funding of this plan. It takes money away from our New Hampshire students and gives it to towns. When the Keno bill was passed, it was determined that the allocation from the Keno earnings would be returned to all towns providing full day programs. Both towns with high property values and towns with low property values. This caused some confusion among towns and led everyone to expect that this funding would be continued. I suspect that would have been corrected during this Session since full day kindergarten students are now counted just as students in grade one through twelve are counted. This bill provides new stabilization grants or hold harmless to high property tax towns. You've heard the term donor towns. They don't exist. So, where does the money come from to pay these towns? First, we take \$12 million away from the university system. It is a difficult thing to take a look at the university system. Our higher education program includes our community colleges and our university system. While UNH comes immediately to mind, we need to remember and recognize that Granite State, Keene State and Plymouth State University are also part of our university system. The economists always stress how important quality education programs both at the K-12 and higher education systems are as an economic driver. In 2011, state support for our university system was cut in half. We are still below what was once allocated in 2010 and the system has been flat funded for five years. It is critical to the health of the system and to our state to fund our higher education programs. Without an investment, our institutions will struggle to continue to provide affordable access and to support the communities they serve. The BIA has made funding of the university system one of its top priorities. They understand the importance of a strong educational system in New Hampshire. Businesses know this investment is necessary for the state's economy and we can't advance that economy without addressing university system funding and providing a

well-prepared work force. And then the same students that are part of the university system take a second hit. This bill takes money from the Governor's scholarship program. That program will be reduced by \$4.5 million. That may be a new program to you. It was to me. The program is structured to provide Pell eligible students scholarships for 2- and 4-year institutions and career schools. The program was first established by the Office of Strategic Initiatives and is now being moved to the Department of Education. It will struggle to survive on this hit to the finances. Additional monies will be raised from the educational trust fund. We have discussions about how important it is to retain the youth in New Hampshire. In fact, we need them to support and help us as we grow older and we will grow older. This bill gives them the message that they aren't very important to legislators. Certainly not as important as property towns. Please tell the students of New Hampshire you believe in them, you appreciate them, and you support them as they have opportunities to become well educated adults without starting their careers with high debt. Join me to support our young people and our fine university system and push the red button.

Speaker Shurtleff: The question before the House is the adoption of amendment (1473h). The Chair recognizes the last speaker, the member from Hopkinton, Rep. Luneau.

Rep. Luneau: Thank you very much, Mister Speaker. I'm here to speak against the proposed amendment. Basically, it undermines the strong bipartisan work this House has done to move in a direction to improve how we fund public education in New Hampshire. It blatantly disregards the needs we have heard from communities like Berlin, Newport, Pittsfield, Derry, Claremont and others across the Granite State. And, Franklin. How could I forget about Franklin? It's a slap in the face to property taxpayers in all cities and towns. Yes, all of them who understand that funding public education is the responsibility we have as a state. The Education Committee heard over 4 hours of testimony from taxpayers, school board members, city administrators and school superintendents. All basically saying how education funding is broken. What a surprise. And, the committee worked hard to develop the funding policy that provides for an equitable opportunity for an adequate education for all students regardless of zip code. The proposed amendment throws all of that out the window. It throws out the fiscal disparity aid to help our most vulnerable property poor cities and towns. It throws out the restoration of the stabilization grant necessary to prop up our current funding formula. It throws out the funding for the independent commission to develop a comprehensive plan to fund public education in the future and it throws out most of the \$164 million used to improve education and provide meaningful property tax relief. Total evisceration of the education funding plan. Totally on the backs of property taxpayers. It's an 11th hour con job we received at 4:57 p.m. yesterday. And, it does some other nasty stuff too. It strips funding for the University System and steals money from our college students who receive support from the Governor's scholarship. It's a cop out. It's no solution. It's no way forward and it's no way to solve this. Please vote no. Thank you very much, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1473h). I just want to remind all members when they come to the well to be very cognizant of what they are saying to the body so as not to cast aspersions on anybody that files any bill or any amendment. That is their right as a member. I just bring that to your attention for future speeches. As I said, Rep. Notter has requested a roll call vote on this amendment. Is that sufficiently seconded? It is. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of amendment (1473h). The Chair recognizes Rep. Weyler for a parliamentary inquiry.

Rep. Weyler: Thank you, Mister Speaker. Mister Speaker, if I know that facing a \$200 million increase in education funding is based on a new tax that is unlikely to yield any amount close to that. And, if I further know that the school districts are struggling to adjust to reductions in state aid. And, if I know that this amendment makes changes in other education funds to assure that we can make a reliable increase to the districts in already available funds and does not rely on any unproven source, then would I now press the green button in order to give some relief to our school districts? Thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1473h). Rep. Myler is recognized for a parliamentary inquiry.

Rep. Myler: Thank you, Mister Speaker. If I know that after hours of hearings and planning in the past 3 months, we have been working in a bipartisan way to construct a rational strategy to deal with school funding that includes a short-term infusion of stabilization funds to the most needy schools and a mid-term adjustment of the current funding plan and a long-term independent look to solve the school funding crisis. And, if I know that the 11th hour amendment of HB 2-1473h undercuts this collaboration and negates the position of the House vote of 268-90 in support of the school funding bill of HB 709. And, if I believe that this amendment totally turns this body's back on the educational funding crisis, both short-term and long-term. And, finally, if I believe in the voices that we have heard from constituents that the true property value tax relief can only come through positive education funding by the legislative actions of this House, would I now press the red button very hard to send a message that we have heard those voices and hardily reject this last minute attempt to deny school districts of needed funding? Thank you, Mister Speaker.

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of amendment (1473h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting

stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 157 members voting Yea and 225 members voting Nay, the motion fails for a lack of a majority. We are down to our last two speakers on HB 2, so I would just ask people to remain in their seats. I'm sure there is going to be a roll call vote on the final. It's this psychic ability I have acquired over the years. I don't know how. It's the Irish. The question now before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Kingston, Rep. Weyler, to speak against the recommendation. Rep. Weyler, you are recognized to speak against the recommendation.

Rep. Weyler: Thank you, Mister Speaker. One-time money should be used for one-time expenses. These are happy days. We've got pretty much everything covered. We are bringing in record revenue. Why do we need to screw it up by adding another tax? That's what this amendment does. Instead of doing something wise. When you have one-time revenue, that's what the prognosticators in the Ways and Means Committee say it shows it going up this year and next year but then going down again for revenue, so we don't want to make the government grow larger, we want to use that money wisely. There are many things you can use with one-time revenue. You could put something into the retirement system that badly needs some money. You could use it for capital budget things that you weren't able to afford, some of them in little towns, some of our towns, some of our cities. You could use it for a lot of things, but to grow government is the worst thing you can do with it, especially if it is not anticipated to keep growing. There is a lot of things that were changed in here. A whole eight pages were taken out that would help towns and cities do some projects that were long awaited. Other new additions were made as you have heard so HB 2 is not ready for primetime. HB 2, this amendment should be defeated. We should go back to the original bill that many of us support and think was wisely constructed. Please vote no on this HB 2 as amended.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Jaffrey, Rep. Ley, to speak in support of the recommendation.

Rep. Ley: Mister Speaker, colleagues, we are now on the cusp of voting on HB 2, the so-called trailer bill, as amended. This bill, this budget accomplishes a great deal that is beneficial to all the citizens of the State of New Hampshire. It begins moving New Hampshire forward in many, many ways. How so? Well, for example, by significantly increasing public education funding, by providing serious property tax relief for businesses and our hard-working citizens, by addressing mental health and addiction issues, including funding for the preliminary planning and engineering studies for a new secure psychiatric unit. And, finally, by establishing a viable and sustainable Family Medical Leave Insurance Program that will keep people on the job and will support and sustain families across New Hampshire. Furthermore, this budget begins addressing long standing problems that we have avoided for years by kicking the proverbial can down the road. Because this budget does all these things, and so much more, I ask that you vote for HB 2 as amended. Join me in moving this state forward and join me in supporting this budget and let today be the dawn of a new day for the great State of New Hampshire. Thank you.

Speaker Shurtleff: Will the member yield to a question? The member does not yield. The question before the House is the adoption of the bill as amended. Rep. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. I appreciate the bipartisanship. Members will kindly take their seats. This will be a roll call vote. The Chair recognizes Rep. Packard for a parliamentary inquiry.

Rep. Packard: Thank you, Mister Speaker. If I know in my previous PI that I gave you more than enough reasons to vote against this bill. And, if I know that I could probably list about another hundred or so, but I know the Speaker would cut me off. And, if I know that we had bipartisan opposition to the amendment to HB 2, would I now press the red button? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes Rep. Wallner for a parliamentary inquiry.

Rep. Wallner: Thank you, Mister Speaker. If I know that HB 2 as amended contains valuable policy positions passed by this House and is the document that supports and enables our state budget to work. And, if I know HB 2 as amended reinstitutes revenue sharing for our communities, retains the education trust fund and makes changes in the adequate education funding formula resulting in an estimated \$160 million new dollars going to our cities and towns. And, if I know that this is a budget to be proud of, a budget that benefits all of New Hampshire citizens and communities, would I now vote yes and press the green button?

Speaker Shurtleff: This will be a roll call vote. The recommendation is that the bill Ought to Pass as Amended. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 224 members voting Yea and 160 Nay, the recommendation is adopted.

REGULAR CALENDAR CONT'D

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Jane Wallner for the Majority of Finance. The majority committee budget provides strategic investments in health and human services which are designed to provide Granite Staters with the health supports and social services they need, to live healthy and productive lives. HB 1-A budgets an additional \$7.5 million to support the Division of Children, Youth and Families' (DCYF) prevention efforts which aim to keep children home, safe and thriving with their families. These efforts include broadening the scope and delivery of evidence-based family strengthening and child well-being initiatives to more at-risk families across the state. An additional \$7.8 million strategic investment will bring NH's child and family support and services into compliance with the new federal Families First Prevention Services Act. This compliance will enable the department to draw federal matching funds for prevention services in the future (instead of relying strictly on state general funds) as well as provide more robust evidence-based prevention supports and increase provider rates. Additional child protection case workers have also been included in order to reduce unmanageable case-loads and to better serve NH's children. This bill also funds the first phase recommendations of the state's 10-year mental health plan. The budget includes funding for additional mental health beds as well as the development of a full continuum of mental health care services across the state. \$11 million of evidence-based and cost-effective community services designed to reduce the need for inpatient hospitalization are included in HB 1-A. These services include an additional adult mobile crisis team, children's mobile crisis supports, step-up/step-down services, and community supports and housing. Also included in the budget for the first time is funding for suicide prevention to address one of our state's leading causes of death. \$1.5 million will fund substance use disorder peer recovery networks, as well as expand school-based prevention efforts. Rate increases for service providers and waitlist funding are included in the Developmental Disabilities budget. This budget holds the growth in county cost for long-term care services to 2.5% annually by providing an additional \$6.6 million in general funds. The Judicial Branch has been strengthened by the addition of \$1.6 million in funding of hardware and software for continued rollout of the E-court system and the addition of three judge positions. The Department of Justice has been strengthened by the addition of an attorney for cold case investigations, an officer-involved shootings investigator who will also assist with training of local police, an election law attorney and additional funding for the Drug Task Force. Access to the judicial system for our low-income citizens has been strengthened by restoring and increasing funding for legal aid, and fully funding the Public Defender Program. For the first time this budget fully funds the Division of Travel and Tourism budget which benefits the economy of all sectors of the state by bringing in additional tourists and their tourism dollars and the associated increase in Meals and Room Tax revenue. Funding of \$1.5 million has been added for the control of aquatic invasive species that will have a positive effect on the lakes and rivers that are a destination for many of our tourists. There is an additional \$164 million added to the Educational Trust Fund to support the increased aid to local school districts. The additional funding is a result of extending the Interest and Dividends to include capital gains. The Department of Safety will be adding cameras to their cruisers and they will also be adding a program specialist to manage unmanned aircraft systems commonly called drones. The Department of Education will be adding an information technology manager who will manage the security and privacy of student data and since the Governor's scholarship program was moved to the Department of Education a position will be added to administer the program. An appropriation of \$14.5 million to the community colleges will enable them to maintain their tuition at current levels. Funding for the University System (UNH, Plymouth, Keene and Granite State) will enable the system to freeze tuition in 2021. The majority of the committee recognized that the Department of Transportation needed additional funding and added \$14.5 million for the department to purchase road maintenance equipment to be placed on the trucks which are funded in the capital budget. The bill also appropriated \$15.5 million in general funds to cover the projected deficit in the Highway Fund. HB 1-A as amended establishes a balanced budget that provides \$12.9 billion from all funds, including \$5.5 billion in general and education trust funds for the FY 2020-2021 biennium. The amended bill will result in a balance in the Revenue Stabilization Reserve Account ("Rainy Day Fund") of \$116.7 million at the end of the biennium, which would be the highest total in the state's history. Vote 13-9.

Rep. Kenneth Weyler for the Minority of Finance. The process that leads to a balanced budget should begin with revenue estimates from Ways and Means adopted by the House, before the Governor delivers a budget on February 15. The accompanying, enabling budget bill HB 2-FN-A should be delivered with HB 1-A which contains the numbers. This didn't happen. Revenue estimates were late, as was HB 2-FN-A. The official revenue estimates from Ways and Means would require a \$55 million dollar cut to balance the budget. The committee never looked at cuts, and instead asked each agency, "what more do you need?" We imagined more revenue was coming. Three new sources were added. Sports betting, an e-cigarette tax, and a capital gains tax. The last was counted as \$150 million in the second year. Past experience has been that a new tax usually takes longer to begin producing revenue than presumed, and then usually comes up short. This budget adds \$300 million or 13% to the Governor's proposal. Our economy and our revenue have been doing well. Many credit some of this to our cuts in the business taxes which were to continue through this next biennium. The tax burden proposed in this budget will act to discourage businesses. Not only the capital gains tax, but the

cancellation of the business tax cuts, which many were depending on. We were warned that the big increase in current business taxes was a one-time increase due to the Trump tax cut or repatriation of overseas profits. Ways and Means seems to agree, showing business taxes declining in the second year. The minority believes one-time money should not be used in ways that grows government but that is what this budget does. There are increases in almost every department while the proposed one-time projects are killed. In future budgets this will be unsustainable. The minority is reminded of the 2008 budget. After only one year, it was obvious that the revenue estimated was short by \$200 million. Drastic cuts were made without the careful analysis that should have been done. A recurrence is predicted. A budget should not grow at 13% when our economy is not in distress. One-time money projects and growing government that much will lead to more disappointments than if realistic presumptions were made in the first place.

Majority Amendment (1397h)

HB 1-A

The amendment adopted by the majority of the House Finance Committee is one that replaces the entire bill and is over 900 pages long. Majority Amendment (1397h) can be viewed at the following link and is made part of this Journal by reference:

http://www.gencourt.state.nh.us/LBA/Budget/operating_budgets/2020_2021/H_Finance_HB_1_Amendment_Final.pdf

Reps. Hennessey and Weyler spoke against and yielded to questions.

Reps. Ford, Martin and Hatch spoke in favor.

Rep. Ley requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 161

YEAS - 223

BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Pearson, William

Berch, Paul
Fenton, Donovan
Mann, John
Tatro, Bruce
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Meador, David
Thompson, Craig

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Judy, Jean
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie

Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 161

BELKNAP

Aldrich, Glen
Fields, Dennis
Plumer, John
Sylvia, Michael

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Varney, Peter

Feeney, George
Lang, Timothy
St. Clair, Charlie
Viens, Harry

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
MacDonald, John

Cordelli, Glenn
Marsh, William

Crawford, Karel
Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Whittemore, James

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
McKinney, Betsy
Morrison, Sean
Pratt, Kevin
Spillane, James
Wallace, Scott

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Melvin, Charles
Packard, Sherman
Roy, Terry
Torosian, Peter
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Beaudoin, Steven

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Abbas offered floor amendment (1455h).

Floor Amendment (1455h)

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 12:
11 Appropriation; Internet Crimes Against Children Fund; Reductions.

I. The sum of \$250,000 for the fiscal year ending June 30, 2020, and \$250,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. In order to offset sums appropriated under paragraph I, the following reductions shall be made:

(a) The department of education shall reduce state general fund appropriations to account 06-56-56-567010-3047 educational statistics by \$259,000 for the biennium ending June 30, 2021.

(b) The department of business and economic affairs shall reduce state general fund appropriations to account 03-22-22-221015-2025 safety rest areas highway by \$200,000 for the fiscal year ending June 30, 2020.

(c) The department of transportation shall reduce state general fund appropriations to account 04-96-96-964010-2916 public transportation by \$41,000 for the fiscal year ending June 30, 2021.

Reps. Lynne Ober and Abbas spoke in favor.

Rep. Lovejoy spoke against.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 221**YEAS - 159****BELKNAP**

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Viens, Harry

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Feeney, George
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John O'Day, John

COOS

Craig, Kevin Fothergill, John Furbush, Michael Merner, Troy

GRAFTON

Gordon, Edward Hennessey, Erin Ladd, Rick Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia Alexander, Joe Griffin, Barbara
Boehm, Ralph Burns, Charles Burt, John
Danielson, David Erf, Keith Fedolfi, Jim
Gagne, Larry Gould, Linda Graham, John
Hinch, Richard Hopper, Gary L'Heureux, Robert
Lascelles, Richard Marzullo, JP McLean, Mark
Notter, Jeanine Nunez, Hershel Panasiti, Reed
Proulx, Mark Prout, Andrew Ober, Russell
Rice, Kimberly Sanborn, Laurie Sofikitis, Catherine
Ulery, Jordan Whittemore, James

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Allard, James Forsythe, Robert Hill, Gregory
Klose, John Kotowski, Frank Marple, Richard
Pearl, Howard Seaworth, Brian Testerman, Dave
Wolf, Dan Yakubovich, Michael

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl Abrami, Patrick Abramson, Max
Baldasaro, Al Barnes, Arthur Bershtein, Alan
Costable, Michael Davis, Dan Thomas, Douglas
Desilets, Joel DeSimone, Debra Dolan, Tom
Edwards, Jess Elliott, Robert Fowler, William
Green, Dennis Guthrie, Joseph Harb, Robert
Hoelzel, Kathleen Osborne, Jason Janigian, John
Katsakiores, Phyllis Khan, Aboul Kolodziej, Walter
Lundgren, David Griffin, Mary Pearson, Mark
McBride, Everett McKinney, Betsy McMahon, Charles
Milz, David Morrison, Sean Owens, Becky
Potucek, John Pratt, Kevin Prudhomme-O'Brien, Katherine
Pearson, Stephen Spillane, James Sytek, John
True, Chris Wallace, Scott Welch, David
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Melvin, Charles
Packard, Sherman
Roy, Terry
Torosian, Peter
Weyler, Kenneth

STRAFFORD

Harrington, Michael Hayward, Peter Horgan, James
McNally, Jody Opderbecke, Linn Perreault, Mona
Rich, Cecilia Rooney, Abigail Beaudoin, Steven
Wuelper, Kurt

Kittredge, Mac
Pitre, Joseph
Vincent, Kenneth

SULLIVAN

Aron, Judy Callum, John Laware, Thomas
Rollins, Skip Stapleton, Walter Smith, Steven

Lucas, Gates

NAYS - 221**BELKNAP**

Howard, Raymond Huot, David St. Clair, Charlie

CARROLL

Buco, Thomas Burroughs, Anita Butler, Edward
Kanzler, Harrison Knirk, Jerry Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul
Eaton, Daniel Faulkner, Barry Fenton, Donovan
Harvey, Cathryn Ley, Douglas Mann, John
Morrill, David Parkhurst, Henry Schapiro, Joe
Thompson, Craig Von Plinsky, Sparky Pearson, William

Bordenet, John
Gomarolo, Jennie
Meador, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William Laflamme, Larry Moynihan, Wayne
Tucker, Edith Thomas, Yvonne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Somssich, Peter

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Warner, Anne

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Salloway, Jeffrey
Towne, Matthew

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Sandler, Catt
Treleaven, Susan

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and floor amendment (1455h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Reps. McGuire, Abramson and Weyler spoke against.

Reps. Ford, Martin and Hatch spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 225 - NAYS 159

**YEAS - 225
BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meader, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Judy, Jean
Komi, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Cannon, Gerri
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Spang, Judith
Wall, Janet

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 159**BELKNAP**

Aldrich, Glen
Fields, Dennis
Plumer, John
Tilton, Franklin

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, Harry

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
MacDonald, John

Cordelli, Glenn
Marsh, William

Crawford, Karel
Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Whittemore, James

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Lekas, Tony

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Klose, John
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
McKinney, Betsy
Morrison, Sean
Pratt, Kevin
Spillane, James
Wallace, Scott

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
Melvin, Charles
Packard, Sherman
Roy, Terry
Torosian, Peter
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Beaudoin, Steven

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Ley moved that the debate on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021, be printed in the Permanent Journal. Motion adopted.

DEBATE ON HB 1-A

Rep. Hennessey: Thank you, Mister Speaker. I am in Division III of House Finance and we worked very hard.

Speaker Shurtleff: Will the member suspend for just a moment? The House will be in order and allow the member to be heard. You may proceed. Thank you.

Rep. Hennessey: As I said I am in Division III of Finance and over the past couple of months we worked very hard developing a budget for Health and Human Services, which is over 40% of this state's funding. If you haven't been to one of our committee meetings or work sessions, I think that you would find that Division III of Finance is very amiable, and we work hard, and we agree with most of our positions and policy decisions. Some of the things I am really proud about in this budget in the amendment. We fully fund the developmental disability waitlist and do a rate increase. We add funds to suicide prevention and a national accredited call center. For the first time we funded children's mobile crisis team. We funded peer recovery services and we helped fix the bottleneck at the New Hampshire hospital by taking the kids out and putting them in a healthier environment, freeing up up to 48 beds there. We funded designated receiving beds. We funded transitional housing beds and we also gave immediate relief to rural hospitals. In DCYF, we fund the Families First Act as well as least 26 new positions for DCYF and more if there is money available and to the delight of all of our county delegations, that means you, everyone here, we fixed the issue with the county cap. Here comes the but. But, as a fiscal conservative I cannot support this amendment. The funds removed from HB 2 by Division II of Finance, a lot of those monies were put into Division III's operating budget. Those were one-time funds that were made into operating expenses, which includes over 40 additional positions throughout the Department of Health and Human Services. The amended budget also overspends TANF funds by \$5 million and completely depletes the TANF reserve balance. We are in good times here. We are not experiencing a recession. Next biennium we are going to have to replace those funds with \$40 to \$75 million of general funds depending on how we find our economy going. The amendment also adds new programs to the state where no financial study was done to determine the actual cost to New Hampshire and our taxpayers. For these reasons please join me in pressing the red button.

Speaker Shurtleff: Will the member yield to a question? The member reluctantly yields. Rep. Baldasaro, you may inquire.

Rep. Baldasaro: Thank you, Mister Speaker. Thank you, Representative, for taking my question. My question is a very simple one. I'm wearing my taxation is theft button, but what I want to know is does this bill raise taxes in the State of New Hampshire on business, property owners there's a downshift?

Rep. Hennessey: Yes, this budget does.

Speaker Shurtleff: The question before the House is the recommendation on the adoption of amendment (1397h). The Chair recognizes the member from Easton, Rep. Ford, to speak in support of the recommendation.

Rep. Ford: Thank you, Mister Speaker. Please join me in supporting the Finance Committee's funding of the highway fund with \$26.7 million from the general fund, \$16.8 million directed from the "plea by mail" revenue, and \$9.9 million by switching the source of funds from highway funds to general funds within the Department of Safety and for the operation of highway rest areas. This does not solve the transportation problem. The issue tends to be that we have such good mileage on our cars. Electric cars pay very little mileage. The gas tax is down. We need to be able to consider that in future years. The division also funded the Department of Safety approximately \$2 million over the biennium for their Cruiser Camera Program. This program was their top priority to promote safety and reduce risk to troopers and the public. We have also provided \$700,000 over the biennium, including 4 dedicated positions to open a Division of Motor Vehicles in the Lakes Region, which will alleviate customer wait times in Concord and Tamworth, and improve customer service. The Fish and Game Department will have over \$3.4 million in general funds over the biennium. The Transportation Department will provide \$86.1 million to the municipalities and appropriating \$13.6 million for state aid for municipal bridge projects. A new position has been added to manage unmanned aircraft systems, also known as drones. This is an issue at our small airports and at Manchester airport, so we need somebody on board to be able to take a look and to support our state. We also provided \$1.6 million for the demolition and environmental remediation of 3 state-owned buildings. A commission will be established to examine the current funding formula and establish an adequacy formula that is fair to all towns and cities in New Hampshire. We maintained the educational trust fund and added special education aid, formerly known as catastrophic aid, tuition and transportation aid for career and technical education and provides \$19.3 million toward new building aid. All charter schools will get the same allocation for kindergarten students. Police standards and training will have approximately \$3.4 million in each fiscal year. The lottery is planning for

the sports wagering as passed by the House in HB 480. It is anticipated that this will provide the state with \$10 million in additional educational trust fund revenue. As you know, these were priorities that we found when we were out campaigning. These are issues that will resonate with the residents of our state and I urge you to vote for HB 1 amendment.

Speaker Shurtleff: The question before the House is the adoption of majority amendment (1397h). The Chair recognizes the member from Milford, Rep. Martin, to speak in support of the recommendation.

Rep. Martin: Thank you, Mister Speaker. Good afternoon, colleagues. So, I am very pleased to share with you what this budget delivers for the people of New Hampshire. There is only 1,000 pages so it won't take me that long. Just kidding. The Finance Committee Division III is charged with the Health and Human Services portion of the state budget. This budget ensures that Granite Staters will receive the health support and social services that are needed for strong and vibrant communities, while also delivering a fiscally responsible state plan for the next two years and beyond. To meet the needs of our most vulnerable children, this budget funds additional child protection case workers which will reduce the now unmanageable caseloads and better serve our children. This budget also allocates surplus funds to support a range of prevention efforts aiming to keep New Hampshire's children home, safe and thriving with their families preventing their future involvement with DCYF. An additional strategic investment will help bring New Hampshire Child and Family Services into compliance with the new federal Family First Act. This compliance will enable DCYF to access federal matching funds in the future instead of strictly relying on general fund dollars. To combat homelessness for Granite Staters, this budget allocates additional resources to the Division of Economic and Housing stability. HB 1, as amended, continues the Granite Work First program, which helps citizens transition from government support programs to economic independence through the promotion of job preparation and work placement. And, although the Governor's budget put TANF funds in deficit, we allocated \$11 million in general funds to the childcare development budget to offset this. To address our mental health crisis, this budget strategically funds the first phase recommendations of the state's new 10-year mental health plan. Not only does the budget include funding for additional mental health beds and facilities as we've heard about in HB 2, it also provides the needed resources to build the foundation for a full continuum of mental health care for our loved ones with mental illness, including an additional adult mobile crisis unit. Expansion of all adult mobile crisis units to serve children and youth. Community services and housing supports as well as step up, step down services to support individuals who do not need hospitalization and those individuals who are ready to leave the hospital but can't because they need additional support. This full range of mental health solutions provides the appropriate care for our loved ones experiencing mental illness, while also freeing up much needed hospital beds and acute care for those who need it. And, as you heard earlier, for our counties who are held responsible for 9.7% of long-term care service costs in the Governor's budget, this budget reduces every county's budgetary burden to just 2.5%. So, in summary, this budget delivers for all of the people of New Hampshire. The budgets critical investments will make our communities stronger, while also providing much needed and desired property tax relief. If you want your constituents to experience stronger, more vibrant communities and benefit from property tax relief, then please join me in voting green and support this bill as amended.

Speaker Shurtleff: The question before the House is the adoption of amendment (1397h). The Chair recognizes the member from Kingston, Rep. Weyler, to speak against the recommendation.

Rep. Weyler: Thank you, Mister Speaker. I rise to oppose the committee amendment on HB 1. As I said before, there was record increase from biennium over biennium. Good times are here again, tax cuts work, yes, the Laffer curve is correct. We got all this money. A lot of the things that my colleagues have spoken about being added into the budget were already in there. The Governor put them in. Yes, he added 65 new employees. They turned around and added 81 more on top of that. That was not necessary. All the predictions are that this money will begin to fade away that we are seeing in these business tax increases. A lot of it is due to repatriation and some of it is due to the tax cuts that we hope will continue, but this takes them away and adds \$94 million by stopping those tax cuts. That's going to affect decisions that will be made in the future in businesses. Yes, there will be some decline, so with one-time money you need to spend it for one-time projects. You should not be spending it to grow government when the prognostications are the revenue will decrease. We don't need to do some of the things that have been done and take away some of the suggestions that were made in the underlying HB 1. A lot of projects across the state, some in your towns and your cities, those are gone. Eight pages were taken out of HB 2, so they won't be in HB 1. There are a lot of things that could be done with one-time money. The worst one is to grow government unsustainably. This is echoes of 2008. Some of us were here then. Big increases in the budget. Imaginary revenue. That's what I think the capital gains tax is, imaginary revenue because I think it is an attempt to tax money that's already been paid in business profits. A lot of it was capital gains. That's what the federal government saw. \$2.8 billion, they said, was capital gains taxes paid in New Hampshire. A lot of it, if you are buying and selling things, that's capital gains. That's what a lot of businesses do, so to think \$150 million will come out of that is just setting us up for disappointment. That's what it is going to do. I am certain that won't raise anywhere near what is

contemplated because \$2.89 billion is a big piece of all the income taxes paid in the State of New Hampshire. You will also have to explain to your constituents why those projects go cancelled. Family Medical Leave Act is an income tax, .5% out of everybody's pay, even the kids working at the ice cream stand for the summer. They are losing .5% from their low wages. What's that going to do to help them? Nothing. They are going to be disgusted about that. The education trust fund was designed not to have a surplus. Once it has a surplus, that money can't be used anywhere else. That's why we fill it up with general funds so let's eliminate the education trust fund or change the formula to ensure that we are not putting money somewhere when we would rather use it somewhere else. The economy is doing well. We are able to fund a lot more things that we have been waiting to fund for a while. That's what HB 1 as it came to us did. We don't need to grow it. We don't need to go from a 10% increase to a 13% increase. We will regret it. Echoes of 2008. We will be back here next year if you put in this imaginary new tax income. We'll be back here next year wondering what can we do now. Please vote no on this amendment. Thank you.

Speaker Shurtleff: Will the member yield to a question? Rep. Baldasaro, you may inquire.

Rep. Baldasaro: Thank you, Mister Speaker. Thank you, Representative. Hey, the last speaker that was up here put a scare tactic out there to everybody on the Governor, which I disagreed with sitting there listening, said that the Governor's budget, the TANF was going to go broke if we did use his numbers. Is that true?

Rep. Weyler: Most of the money for the Temporary Assistance to Needy Families comes from the federal government. They have a pretty good amount for us because it is somewhat done on a per capita basis. We're fortunate to have one of the lowest poverty rates so there are a lot of things that the money doesn't qualify for. It stays in a fund, which is good because if we ever have a recession again and more people need that money, there will be a fund there that we can use it, but what the plan that has come to us uses up that reserve fund over about 3 years, so if a recession does come after that, this big supply of money that pays at the time most of that money for TANF won't be available once we use that up. So, going forward we will have to take it out of general funds and we won't have as much help from the federal. Yes, it will make a big difference.

Speaker Shurtleff: Will the member yield to another question? Rep. Packard, you may inquire.

Rep. Packard: Thank you, Mister Speaker and thank you for taking my question. Quite a few of the past speakers have talked about property tax relief and I'm wondering where all this money for property tax relief is going to come from and is it actually going to happen?

Rep. Weyler: I think we have the example from 1999. It was the first year we sent \$200 million more in education funding than we ever had before and the first year we spent it, it arrived after most of the towns had done their education budgets. So, 60%, that one year, went to relieve property taxes. Sixty percent, one year. The very next year the same money and a little more went out to the towns and every cent got spent to expand the education. An interesting thing I was looking at, you bring up something I thought I should share. I went to the education and they don't have figures most older than 10 years. So, if you go back 10 years, 07-08, there were 32,000 employees working in our schools. Of those, 15,200 were teachers. Only 47%. Come forward ten years to 17-18, now we only have 13,000 teachers in our schools, so the number of total employees is 31,000. You see the difference there? We laid off 2,000 teachers and hired a 1,000 more non-teaching staff. We all need to go to the school board meetings and ask why is there so much non-teaching staff. Only 41.9% of the staff now are teachers. What are all those other people doing but raising your property taxes. Thank you.

Speaker Shurtleff: The question before the House is the recommendation of adoption of amendment (1397h). The Chair recognizes our last speaker, the member from Gorham to speak in support of the recommendation, Rep. Hatch.

Rep. Hatch: Thank you, Mister Speaker. I rise in support of HB 1 as amended. This budget was designed to work for all of our citizens as well as municipalities in all parts of the state. Note we made a concerted effort to budget so that our state agencies can meet the needs of all citizens while working to mitigate the property tax burden for many of all municipalities. Some of the things included in this budget are, for example, we budgeted \$1.3 million in scheduling software that departments such as Correction and Safety are in dire need of. We also fully funded Corrections efficiency budget request and we also funded all authorized positions, which in turn will make savings by reducing the overtime needs of the department. This budget will provide \$700,000 for the Lakeshore Redevelopment Planning Commission and that will address the disposition of the former Laconia State School property which has been there for many years empty, vacant and in some cases dangerous. We budgeted \$2 million in general funds in the Judicial Branch IT fund and a one-time \$950,000 appropriation to replace the ancient hardware and IT systems. Again, direly needed. The budget funds an additional superior court judge to address the recent 15% increase in criminal cases associated with the opioid crisis. This will help manage the existing backlog. The number of circuit court judges are increased from 33 to 35, which will allow for cases in the family division of the circuit court to be heard in a timely manner. This budget fully funds the judicial counsel at \$3 million for the biennium. A very important thing to have happen. I think we all can agree. A paralegal in the criminal justice bureau was added to provide trial support. A new cold case attorney was also added to handle the backlog of cold cases. Also, a new appeals attorney

was funded for the Department of Justice. Recognizing that tourism is very important and in fact vital to the economic well-being of many areas of the state such as our North country. We addressed the needs to promote tourism dramatically for the Department of Business and Economic Affairs travel and tourism budget, the statutory 3.15% of meals and rooms tax revenue is funded. We funded the complete amount which creates a \$6.4 million increase over the previous biennium. In line with that direction there is also \$3.4 million in the budget for the operation and maintaining of the highway safety and rest areas. Hopefully, just hopefully are gone the days that we say welcome to New Hampshire. If you need facilities, we have a lot of bushes or if you are lucky we have a porta potty. Hopefully that has ended. This budget fully funds the flood control program. A \$1.8 million appropriation for the biennium and that's just a few examples of items that were funded in this budget to address the needs of the state. Everything else is available for your review online or you are welcome to ask any questions to any of the Finance members. So, again thanks to all that helped with invaluable input and please show your support by pushing the green button. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1397h). Rep. Ley has asked for a roll call vote. Is that sufficiently seconded? It is sufficiently seconded in the spirit of bipartisanship. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of majority amendment (1397h). The Chair recognizes Rep. Hinch for a parliamentary inquiry. The House will be in order.

Rep. Hinch: Thank you, Mister Speaker. If I know that this budget relies on spending one-time revenue to establish new programs, new positions and new spending that aren't one time. And, if I know that these are perpetual and when they are one-time revenue doesn't come back, taxpayers will be on the hook to fill that deficit. If I know that the major new funding source for education spending in this budget relies on unproven revenue from a brand new capital gains tax and the revenue estimates relied on in this new capital gains tax are the highest they could be, putting us in a precarious situation if these expectations are not met. If I know that this bill authorizes 157 new employees, more than double the Governor's proposal and doubles that cost. If I know this budget seeks to spend 13% more than our current operating budget, which equals \$637 million more in the general education trust fund spending and a whopping \$1.5 billion, with a "b" more in total funds. And, finally Mister Speaker, if I know that this budget spends \$9,500 for every person in New Hampshire, a whopping \$1,100 per person increase over our last budget and that is just unsustainable even in good times, would I now press the red button to oppose this deeply flawed budget that taxes and spends at record levels? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of amendment (1397h). The Chair recognizes Rep. Wallner for a parliamentary inquiry.

Rep. Wallner: Thank you, Mister Speaker. If I know that the amendment to HB 1 establishes the House's budget position. And, if I know the amendment produces a balanced budget. And, if I know this amendment to HB 1 provides funding for our state agencies and our communities for the next biennium, would I now vote yes and push the green button?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of amendment (1397h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 223 members voting Yea and 161 voting Nay, the recommendation is adopted on the amendment (1397h). Rep. Abbas moves floor amendment (1455h) found in your seat pockets and Rep. Ober is recognizes to speak to that amendment. We have just 3 speakers on this amendment so please don't wonder too far.

Rep. Lynne Ober: Thank you, Mister Speaker. You know I am brief. I never carry anything up here to read lengthy pages to you so. This is an amendment that funds ICAC. You all know I am in favor of ICAC. You know I was very disappointed when Division I chose not to even discuss it when we had the budget deliberations. They need a grant of \$500,000. This amendment provides a \$500,000 grant without actually making significant cuts in the budget. We'll still have educational statistics. One of the most important things I think in HB 1 and HB 2 that Division I talks about, you can't believe the length of time, are rest areas. None of us want our visitors going to porta potties, although \$200,000 is removed from that line, the agency made it very clear that every rest area would be open and fully staffed. There would be no porta potties and that this money was for some renovations that could be put off and actually could be used later in the year if some other expenses come in less than expected. So, this amendment puts the \$500,000 into the budget, HB 1. It fully funds ICAC. It defends our children. It also allows us to move forward with as much as a balance budget as possible, although I still believe the budget as a whole is overspent and not balanced. But, this provides no additional funding to that whereas the amendment previously passed on ICAC as I mentioned added an additional \$50,000 above the \$500,000. Please support this amendment and press the green button. Thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1455h). The Chair recognizes the member from Salem, Rep. Abbas, to speak in support of the recommendation.

Rep. Abbas: Thank you, Mister Speaker. A lot of great points were just made that I don't want to repeat. I will just emphasize again that with this amendment there will be no additional spending and what I would say is that the budget right now, which relies on a lot of assumptions and unproven revenue streams in order to balance this budget, this will create no additional spending. I believe we have a responsibility and a duty to the voters who put us in these seats to not spend money that we can't account for. This is no additional spending. It's taking \$259,000 from the Department of Education for education statistics that the Department of Education is on record of saying that they are not interested in that program. So, I would point out for that reason, that was a great place to start when this memo was filed. So, I would ask you to push that green button. Thank you.

Speaker Shurtleff: The question before the House is the adoption of amendment (1455h). The Chair recognizes our last speaker, the member from Stratham, Rep. Lovejoy, to speak against the recommendation.

Rep. Lovejoy: Thank you, Mister Speaker. Earlier this morning we passed an amendment to HB 2, amendment (1469h) that was passed by a margin of 376-4 that is already funding the \$500,000 for the Internet Crimes Against Children Act so I propose that this amendment is not needed. We have already funded them. Please vote no. Thank you.

Speaker Shurtleff: Rep. Notter has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the adoption of amendment (1455h). The Chair recognizes Rep. Rice for a parliamentary inquiry.

Rep. Rice: Thank you, Mister Speaker. If I know that funding the Internet Crimes Against Children Task Force is crucial to providing the tools necessary to protect our children from online predators. And, if I also know that this amendment provides this funding from a more appropriate source, would I now press the green button and provide this critical funding for the protection of our state's greatest asset, our children? Thank you.

Speaker Shurtleff: The Chair recognizes Rep. Hatch for a parliamentary inquiry.

Rep. Hatch: Thank you, Mister Speaker. I have forgotten my papers, but I will try to do this without them. Mister Speaker, if I know that redundancy has a purpose in some places, but this is not one of them. The funding of this activity was accomplished already this morning and to pass this would be redundant of that, so I urge all to press the red button to defeat this amendment. Thank you, Mister Speaker.

Speaker Shurtleff: This will be a roll call vote. The question before the House is on the adoption of amendment (1455h). If you in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 159 members voting Yea and 221 voting Nay, the motion fails. Rep. Ley has moved. Strike that. The question now before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Epsom, Rep. McGuire, to speak against the recommendation.

Rep. McGuire: Thank you, Mister Speaker. The Finance Committee was actually quite fortunate when they started working on the budget because they were in possession of an anticipated surplus from this year or this biennium of somewhere between \$170 and \$200 million depending on whose numbers you believe. Even if, let's just say \$175, that's a lot of money and it is purely one-time money. It's not going to be coming out. The forecasted surplus from the budget under consideration is \$28 million and it's all in the education trust fund which is one of the bad places to put it, but that still leaves \$150 million, probably plus a bit, that is one-time money that needs to be used for one-time purposes. That's a basic principle of budgeting and it's not as if we don't have places to use one-time money. We could have funded the entire capital budget, which is \$125 million, and without borrowing a penny. That would have saved us the interest. It would have improved our credit rating and it would have kept our bonding capability available when we need it. We could have done the statutorily required thing and put it all into the rainy-day fund, which would protect us against the downturn that the Chair of Ways and Means has been warning us about. We could have put it into the retirement system toward future payments which would be invested and would save the state money in the future. It would save local taxpayers money in the future. It might not be a lot bright this year, but it would provide meaningful and long-lasting property tax relief to everybody in the state. But, that was not done. There are a few places in the budget where we had one-time task. There is the New Hampshire hospital wing modification, \$500,000 for that study committee. Great, we should have done that, but there is still \$150 million of one-time money that we are using to fund recurring programs and that is a recipe for total disaster in the future. No matter how, it means that the next budget that comes up is going to be short and if we are extremely fortunate and business is booming, and we bring in a lot of tax money we may be able to get by in the next budget with a few cuts here and there, some fee increases, whatever. But, sooner or later the economy is not going to be helpful. We are going to be unlucky and we are going to be in the situation we faced in 2011 where you start out the budget in a \$900 million hole. That was an incredibly painful experience for everybody who was there at the time, no matter which party they belonged to. It was painful for the people of the state and for the state employees and retirees. We took all

sorts of drastic actions to settle that. It was worked out, but it was not easy, and it was not fun, and we are setting ourselves up for that, maybe not in 21, maybe not in 23 if we are really lucky, but by 25 at the very latest we are going to be facing that kind of a structural deficit. No matter which party is in power at the time, they are going to have to make some important major and highly unpopular decisions. No matter whether you are increasing taxes or you are cutting spending or both, it's going to require a great deal of pain on the part of the legislature and on the people of the state and I think we should take the action now to get that surplus spending out of our current budget, use it for the one time needs we have and not set ourselves up for failure in the future. Thank you very much.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Easton, Rep. Ford, to speak in support of the recommendation.

Rep. Ford: Thank you, Mister Speaker. When the majority of Division III first examined the Governor's budget, we were concerned that education did not take center stage. Representatives that had canvassed or stood at their transfer stations during the last election heard that both education funding and the increases in property taxes is a concern to most New Hampshire residents. We also were concerned about the transportation budget. It did not meet New Hampshire's needs. As we all know, the highway fund isn't a robust fund as it used to be. Our cars get much better mileage. This is an issue we face in the near future and Division II was cognizant of this issue as we worked for the most part going line by line through the budget. What our concern was that the Governor's budget did not meet the needs of the New Hampshire citizens and I urge you all to pass HB 1 as amended by pushing the green button.

Speaker Shurtleff: The question before the House is the recommendation of Ought to Pass as Amended on HB 2. The Chair recognizes the member from Seabrook, Rep. Abramson, to speak against the recommendation.

Rep. Abramson: Thank you, Mister Speaker. Mister Speaker, I speak in opposition to HB 1 because it ignores the issue that I've brought to the floor and to committee many times over the years, that nearly all problems in our society are better handled at the local level than through state excess. I've campaigned on the need to return money and power to the local level, spoke publicly on the need, written countless letters to the editor, which many of you have read and even put this on my campaign signs every year. Going door to door, 80% of my constituents told me that they support keeping the money and decision making at the local level. More effective than the state bureaucracy is civil society, local churches, local charities, local towns, local schools, and other local efforts that have been helping the less fortunate since colonial times. A bloated state budget will not help those who've fallen on reduced means. Mutual aid societies, lodges, trade unions, friends, family, and extended family have easily dwarfed any bureaucracy in terms of helping individuals overcome problems of addiction, age, infirmity, unemployment, homelessness, poverty, illiteracy, and dependency. States were once created and budgeted only for maintaining civil and criminal courts and maintaining uniform election laws, not for replacing the good works of charity and family. While the drug courts today still show only a 3-4% success rate, Teen Challenge, a faith-based addiction program, now boasts a 70% success rate and costs taxpayers nothing. No state agency in this budget would pretend such a success rate. Habitat for Humanity, the Lions Club, Salvation Army, St. Vincent de Paul, and our local charities accomplish far more for far less than what's being proposed in HB 1. At the local level, there's less partisanship and influence by party leaders and special interest groups. At the local level, we've seen the success of Gloucester's ANGEL program, which Chief Lou Campanello assured me, by email, helps save lives for about \$50 per person. Each dollar spent by the state takes 2 or 3 from the private sector, our state's real job creator, and those coming out of high school, drug and alcohol treatment, probation, parole and recovering from work injuries or layoffs absolutely depend on a healthy job market as the real American safety net. Vote down this bloated budget. Start over with a more realistic appreciation of the hard work of Chucky's Fight, the Goodwill, the real help of the soup kitchens, thousands of new job-creating startups and extended family. Indeed, when voters have been asked in New Hampshire if they'd rather have more state spending or more private spending, they've voted for smaller government every single time. Why should the state take your money and make you fill out a lot of forms and jump through bureaucratic hoops to try and get some of your own money back, less the enormous growing cost of state and federal bureaucracy? Why not just reduce spending and let working Americans keep more of what they've rightfully earned? Red button. Taxation is theft and taxation of wages is slavery. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Milford, Rep. Martin, to speak in support of the recommendation.

Rep. Martin: Thank you, Mister Speaker. This budget as amended is a budget for the people of New Hampshire. I've heard from my neighbors in Milford and you've all heard from your constituents across the state. They've shared their priorities with us. They've asked us for property tax relief, education funding and adequate support for our critical services like mental health and child protection. The House budget addresses every one of these priorities. I'm proud of the work we've all done these last few months and I'm pleased that we've drafted a budget that works for all Granite Staters. So, press the green button for Ought to Pass as Amended. Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Kingston, Rep. Weyler, to speak against the recommendation.

Rep. Weyler: I'll tell you one more time. One-time money should not be used to grow government. We will regret it in the near future, maybe next year, maybe next biennium. There is no sense in growing government. Times are good. We don't have as many poor people and we don't have as many unemployed people. Why do we need to add to all of these programs? By the way, the number of students is still shrinking. Why do we need to throw \$200 million more? None of it is going to go to property tax relief. It never has, except the one year that I told you about. Never since. Please don't make this bloated government, this bloated amendment pass. Please don't pass this as a bloated thing. Vote no. Press the red button.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes our last speaker, Rep. Hatch, the member from Gorham, to speak in support of the recommendation.

Rep. Hatch: Thank you, Mister Speaker. We've heard a lot about how well our state is doing as we are discussing the budget this morning. This may surprise some of you. I know many, many households in this state that aren't doing so well. I know many households in this state where feeding their children in the evening, making sure they have ample meal to get through the next day is not always happening. In fact, something like 24% of the children where I live go to bed hungry. I wouldn't say they are doing so well. So, I guess to make a long story very short and you are getting the idea of where I am going with this, this budget attempts to help everyone, share in the prosperity coming through the state. Not just the chosen few are those who can access themselves to the enormous windfall that's coming this way. So, with that, I really urge you to support this budget. Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. Rep. Notter has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded in the spirit of bipartisanship and does an old man's heart a lot of good so thank you. This will be a roll call vote. Members will kindly take their seats. The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes Rep. Hinch for a parliamentary inquiry.

Rep. Hinch: Thank you, Mister Speaker. Mister Speaker, if I know that we are about to celebrate Groundhog Day because 10 years ago this month the House did exactly the same thing that the House is heading towards doing. If I know that this budget relies on spending one-time revenues to establish new programs, new positions and new spending that aren't one time. If I know that this bill authorizes 157 new employees, more than double the Governor's proposal and doubles the cost. If I know this budget seeks to spend 13% more than our current operating budget, which equals \$637 million in general education trust fund and a whopping \$1.5 billion in total funds. Mister Speaker, if I know all this, would I decide not to celebrate Groundhog Day, and would I therefore press the red button to oppose this deeply flawed budget that taxes and spends at record levels? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes Rep. Wallner for a parliamentary inquiry.

Rep. Wallner: Thank you, Mister Speaker. If I know that HB 1 as amended establishes the House budget position as the budget moves through the budget process. And, if I know that it is a balanced budget that will result in a rainy-day fund balance of \$116.7 million at the end of the next biennium. And, if I know this is a budget that meets the needs of our citizens and addresses our most pressing concerns, those of mental health, child protection, our transportation system and education, would I now vote yes and push the green button?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the recommendation that the bill Ought to Pass as Amended. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 225 members voting Yea and 159 voting Nay, the recommendation is adopted.

RESOLUTION

Rep. Ley offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet at the Call of the Chair.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 25-A, making appropriations for capital improvements.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021.

RECESS MOTION

Rep. Ley moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 1:00 p.m.

RECESS

(Rep. Welch in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 267 and 284.
Rep. Ley, Sen. Soucy for the Committee

SENATE MESSAGES

CONCURRENCE

HB 123, relative to emergency response plans in schools.

HB 136, increasing the maximum period for the zoning board of adjustment to hold a public hearing.

HB 148, relative to electric bicycles.

HB 167, allowing the town of Kingston to hold a bonfire event in 2019.

HB 181, relative to the house and senate members of the university system board of trustees.

HB 188, amending the definition of headway speed.

HB 214, repealing an obsolete provision for legislative mileage for attaches from Concord.

HB 237, establishing the New Hampshire rare disease advisory council.

HB 245, relative to the planning board's procedures on plats.

HB 278, relative to the New Hampshire insurance department's annual hearing requirement.

HB 307, relative to driver's license photographs.

HB 339, relative to commercial modernization.

HB 342, relative to insurance examinations.

HB 372-FN, relative to motorist duties when approaching highway emergencies.

HB 391, relative to permits for vehicle registration.

HB 398, relative to New Hampshire MasoniCare.

HB 419, relative to the position of house clerk.

HB 428, relative to pedestrian control signals.

HB 433, relative to foreign insurance companies.

HB 455-FN, relative to the penalty for capital murder.

HB 488-FN, requiring interpreters for the deaf and hard of hearing at the state house campus.

HB 500, naming the Warner roundabout in memory of Barbara Annis.

HB 528-FN, relative to insurance reimbursement for emergency medical services.

HB 589, relative to signs for New Hampshire liquor and wine manufacturers.

HB 597-FN, relative to sales of beverages and wine hosted by other licensees.

HB 634, establishing a commission to study the licensure of individuals who forage for wild mushrooms for sale to others.

HB 649-FN, relative to consumer credit corrections, consumer credit protection from fraud, and consumer credit regulatory reform.

HB 675-FN, relative to the purchase of service credit in the state retirement system.

HB 701-FN, relative to bow and arrow licenses for certain disabled veterans.

NONCONCURRENCE

HB 418-FN, relative to the limitations on part-time employment under the New Hampshire retirement system.

HB 420, relative to naming buildings and other construction built using public funds.

REREFERRED TO COMMITTEE

HB 150-FN, relative to statements of financial interests filed by state officials.

LAID ON THE TABLE

HB 726-FN, establishing a secure forensic psychiatric hospital advisory council and establishing a new forensic psychiatric hospital and making an appropriation therefor.

RECESS

(Rep. Gordon in the Chair)
ENROLLED BILL AMENDMENTS

HB 123, relative to emergency response plans in schools.

Amendment 2019-1532EBA

Amend section 1 of the bill by deleting line 2.

Motion adopted.

HB 148, relative to electric bicycles.

Amendment 2019-1526EBA

Amend the introductory paragraph of RSA 259:27-a as inserted by section 3 of the bill by replacing line 1 with the following:

259:27-a Electric Bicycle. "Electric bicycle" shall mean a pedaled vehicle equipped with an
 Amend RSA 259:27-a, I as inserted by section 3 of the bill by replacing line 1 with the following:

I. "Class 1 electric bicycle" shall mean a pedaled vehicle equipped with a motor that
 Amend RSA 259:27-a, II as inserted by section 3 of the bill by replacing line 1 with the following:

II. "Class 2 electric bicycle" shall mean a pedaled vehicle equipped with a motor that may
 Amend RSA 259:27-a, III as inserted by section 3 of the bill by replacing line 1 with the following:

III. "Class 3 electric bicycle" shall mean a pedaled vehicle equipped with a motor that

Motion adopted.

HB 488-FN, requiring interpreters for the deaf and hard of hearing at the state house campus.

Amendment 2019-1546EBA

Amend RSA 14:12-a as inserted by section 1 of the bill by replacing line 3 with the following:

hearing if such persons wish to meet with their senator or representative on the state house

Motion adopted.

HB 634, establishing a commission to study the licensure of individuals who forage for wild mushrooms for sale to others.

Amendment 2019-1544EBA

Amend the bill by replacing line 2 of section 1 with the following:

mushrooms and sell them to restaurants, suppliers, or at farmers markets may not be adequately

Amend RSA 433:37, II(e) as inserted by section 2 of the bill by replacing it with the following:

(e) An active wild mushroom forager who sells commercially, appointed by the governor.

Motion adopted.

SENATE MESSAGES

CONCURRENCE

HB 111, establishing a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of posttraumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

HB 139, relative to restrictions on smoking in state forests, parks, land, or buildings operated by the department of natural and cultural resources.

HB 223, relative to night work.

HB 225, relative to the National Guard Scholarship Fund.

HB 252, establishing a committee to study certain labor statutes.

HB 285, relative to filing and approval of rates and rating plans applicable to workers' compensation.

HB 310, relative to the membership of the wellness and primary prevention council.

HB 321-FN, relative to authorized organizations producing multiple decal designs in the multi-use decal number plates program.

HB 337, relative to property and casualty insurance.

HB 357, relative to the public school infrastructure fund.

HB 369-FN, relative to the controlled drug prescription health and safety program.

HB 389-FN, requiring the secretary of state to prepare materials for businesses relative to service dogs.

HB 406, relative to reporting and investigation of serious injuries and death in the workplace.

HB 475, establishing a shoreland septic system study commission.

HB 540-L, relative to the issuance of bonds by the county for redevelopment districts in unincorporated places.

HB 548, relative to certain organizations that are authorized to issue decals.

HB 668, relative to heating, agitating or other devices in public waters.

HB 714-FN, relative to New Hampshire products purchased and sold by the liquor commission.

REREFERRED TO COMMITTEE

HB 253, relative to criminal records checks in the employee application process.

HB 490, establishing a commission to study the role of clinical diagnosis and the limitations of serological diagnostic tests in determining the presence or absence of Lyme and other tick-borne diseases and available treatment protocols, and appropriate methods for educating physicians and the public about the inconclusive nature of prevailing test methods and available treatment alternatives.

RECESS

(Rep. Prudhomme-O'Brien in the Chair)

ENROLLED BILL AMENDMENTS

HB 649-FN, relative to consumer credit corrections, consumer credit protection from fraud, and consumer credit regulatory reform.

Amendment 2019-1563EBA

Amend section 5 of the bill by replacing lines 1-3 with the following:

5 New Paragraph; Banks and Banking; Licensing of Nondepository Mortgage Bankers, Brokers, and Servicers; Definitions. Amend RSA 397-A:1 by inserting after paragraph XXIII-a the following new paragraph: Amend RSA 399-G:14, IV as inserted by section 49 of the bill by replacing line 1 with the following:

IV. It is unlawful to solicit, accept, or execute any contract or other document related to Motion adopted.

HB 701-FN, relative to bow and arrow licenses for certain disabled veterans.

Amendment 2019-1540EBA

Amend RSA 214:13, II(a) as inserted by section 1 of the bill by replacing line 1 with the following:

II.(a) If the applicant for a fishing [and], hunting, *or bow and arrow* license is a resident Motion adopted.

RECESS

(Rep. Porter in the Chair)

ENROLLED BILL AMENDMENTS

HB 357, relative to the public school infrastructure fund.

Amendment 2019-1641EBA

Amend the bill by replacing line 1 of section 3 with the following:

3 Effective Date Changed; Public School Infrastructure. Amend 2017, 156:249, VII, as amended Motion adopted.

HB 475, establishing a shoreland septic system study commission.

Amendment 2019-1636EBA

Amend RSA 485-A:44-a, V(c) as inserted by section 2 of the bill by replacing line 2 with the following: taken to effect remediation of septic systems on private property, including regulatory, educational, Motion adopted.

RECESS

(Rep. Weber in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 136, 167, 181, 188, 214, 237, 245, 278, 307, 339, 342, 372, 391, 398, 419, 428, 433, 455, 500, 528, 589, 597 and 675.

Rep. Wall, Sen. Soucy for the Committee

SENATE MESSAGES**CONCURRENCE**

HB 118, relative to notifying a child's primary health care provider of a report of abuse or neglect.

HB 259, relative to building code violations.

HB 329, relative to review and adoption of school data security plans.

HB 343, relative to application of the state fire code to foster homes.

HB 347, adding insurer's policy administration expenses to commercial rate standards.

HB 427, relative to the procedure for filing a protective order on behalf of a minor.

HB 574-FN, relative to the emancipation of minors.

HB 606, relative to certain insurance licensing statutes.

HB 607, relative to life and health insurance.

HB 642, defining specialty cider.

HB 648-FN, defining and regulating service entities.

HB 684-FN, relative to mediation of rent increases in manufactured housing parks.

HB 700, relative to valuation of utility company assets for local property taxation.

HB 713-FN-L, relative to transportation of pupils.

NONCONCURRENCE

HB 309, relative to procedures for foreclosure of a mortgage.

REREFERRED TO COMMITTEE

HB 487-FN, establishing a registry for the deaf, hard of hearing, and deaf/blind in the department of health and human services.

LAID ON THE TABLE

HB 437, establishing a commission to study parental alienation.

RECESS