

**SENATE FINANCE COMMITTEE
BUDGET WORK SESSION**

05/25/23

SENATE FINANCE - 2023 BUDGET RECAP SHEET						
Other Miscellaneous Items						
Department of Business and Economic Affairs	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment # 2023-2013s, Page 4 - Appropriates \$1.5m in FY 2023 to BEA for the New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program.	Senator Bradley	G	\$1,500,000	-	-	\$1,500,000
2. HB 2 - Amendment # 2023-1549s, Page 5 - Appropriates \$3m in FY 2023 to BEA for the New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program.	Senator Gendreau	G	\$3,000,000	-	-	\$3,000,000
Department of State	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment #2023-1667s, Page 6 - Appropriation to the Department of State for implementation of SB 157, relative to election audits.	Senator Gray	G	\$90,000	-	-	\$90,000
Department of Justice	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment #2023-1663s, Page 7 - Youth Development Center Claims Administration and Settlement Fund.	Senator Rosenwald /D'Allesandro	N/A				
2. HB 2 - Amendment #2023-1786s, Page 10 - Youth Development Center Claims Administration and Settlement Fund.	Senator Bradley	N/A				
Department of Environmental Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment # 2023-XXXXs - Language to be provided by the Department concerning the hearings officer and the advisory boards.	Senator Bradley/ Commissioner Scott	N/A				
2. HB2 - Amendment #2023-1990s, Page 12 - Amends section 423 to appropriate \$1 million to the cyanobacteria mitigation loan and grant fund.	Senator Bradley	G	\$1,000,000	\$0	\$0	\$1,000,000
DHHS - Division of Long-Term Supports and Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1989s, Page 13 - Replaces 1957s, previously adopted, relative to a pediatric intermediate care facility.	Senator Bradley / Rosenwald	N/A	\$0	\$0	\$0	\$0
DHHS - Division of Medicaid Services	Contact	SOF	FY 2023	FY 2024	FY 2025	Total

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Other Miscellaneous Items

1. HB 2 - Amendment 2023-1959s, Page 14 - Incorporates two components of SB 175: funding for family resource centers, and policies relating to nursing mothers. The amounts shown here are the increases above the House-passed level for family resource centers.	Senator Rosenwald	G	\$0	\$1,000,000	\$1,000,000	\$2,000,000
DHHS - Division of Behavioral Health	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1884s, Page 17 - Establishes an early childhood mental health consultation pilot program and funds out of FY23.	Senator Bradley	G	\$1,000,000	-	-	\$1,000,000
2. HB 2 - Amendment 2023-1848s, Page 19 - Establishes an early childhood mental health consultation pilot program and funds in FY24/25.	Senator Rosenwald	G	-	\$500,000	\$500,000	\$1,000,000
Other Miscellaneous Items	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment 2023-1985s, Page 21 - Land exchange Rochester Circuit Court Facility.	Senator Gray	N/A				
2. HB 2 - Amendment 2023-1987s, Page 22 - Relative to the Business Tax General Fund/Education Trust Fund split.	Senator Bradley	GF Rev ETF Rev TOT	-	(\$221,970,000) \$221,970,000 \$0	(\$224,760,000) \$224,760,000 \$0	(\$446,730,000) \$446,730,000 \$0
3. HB 2 - Amendment 2023-1988s, Page 23 - Establishing a committee to study replacement of bail commissioners with court magistrates, and relative to release of a defendant pending trial.	Senator Gray	G	\$1,000,000	\$0	\$0	\$1,000,000

SENATE FINANCE - 2023 BUDGET RECAP SHEET

Other Miscellaneous Items

<p>4. HB 2 Amendment 2023-2009s, Page 25 - Revises previously adopted amendment 1844s, which appropriated \$838,502 in FY23 for an integrated eligibility audit. Also previously adopted was an HB 1 item at the request of DHHS, which assumed the audit would be funded in FY24, but reduced the general fund share to \$167,700. The committee could reconsider those actions, and in their place: (1) adopt 2023-2009s and (2) zero out the HB 1 appropriation, which would result in the savings shown here.</p>	Nathan White, DHHS CFO	G	(\$670,802)	(\$167,700)	\$0	(\$838,502)
<p>5. HB 2 Amendment 2023-2016s, Page 26 - Provides \$3,000,000 to the Office of the Governor to transfer to the University System of New Hampshire (USNH) for reducing undergraduate in-state tuition rates at Keene State College and Plymouth State University, contingent upon certification from USNH that it has also allocated \$3,000,000 for said purpose.</p>	Senator Innis	G	\$3,000,000	\$0	\$0	\$3,000,000

Sen. Bradley, Dist 3
May 25, 2023
2023-2013s
08/07

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program;
4 Appropriation.

5 I. The sum of \$1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to
6 the department of business and economic affairs for the New Hampshire pulp and paper
7 manufacturing industry stabilization grant program. This appropriation is in addition to any other
8 funds appropriated to the department of business and economic affairs. This appropriation shall
9 lapse on June 30, 2025.

10 II. In this section, "New Hampshire pulp and paper manufacturer" means a New
11 Hampshire-based entity engaged in the processing or manufacturing of pulp, paper and paperboard
12 products and producing paper products.

13 III. With the approval of the joint legislative fiscal committee, the department of business
14 and economic affairs shall administer this grant program based on the following criteria:

15 (a) Applicants shall demonstrate and quantify the impact of COVID-19, infrastructure
16 failures, industry decline, workforce development, and other factors impacting the forest products
17 manufacturing industry in New Hampshire.

18 (b) Applicants shall demonstrate that jobs will be preserved or created as a result of
19 receiving grant funding under this act.

20 2 Effective Date. This act shall take effect on June 30, 2023.

2023-2013s

AMENDED ANALYSIS

Insert:

1. Makes an appropriation to the department of business and economic affairs for the New
Hampshire pulp and paper manufacture industry stabilization grant program.

Sen. Gendreau, Dist 1
April 27, 2023
2023-1549s
08/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 New Hampshire Pulp and Paper Manufacturing Industry Stabilization Grant Program;
4 Appropriation.

5 I. The sum of \$3,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to
6 the department of business and economic affairs for the New Hampshire pulp and paper
7 manufacturing industry stabilization grant program. This appropriation is in addition to any other
8 funds appropriated to the department of business and economic affairs. This appropriation shall
9 lapse on June 30, 2025.

10 II. In this section, "New Hampshire pulp and paper manufacturer" means a New
11 Hampshire-based entity engaged in the processing or manufacturing of pulp, paper and paperboard
12 products and producing paper products.

13 III. With the approval of the joint legislative fiscal committee, the department of business
14 and economic affairs shall administer this grant program based on the following criteria:

15 (a) Applicants shall demonstrate and quantify the impact of COVID-19, infrastructure
16 failures, industry decline, workforce development, and other factors impacting the forest products
17 manufacturing industry in New Hampshire.

18 (b) Applicants shall demonstrate that jobs will be preserved or created as a result of
19 receiving grant funding under this act.

Sen. Gray, Dist 6
May 4, 2023
2023-1667s
05/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following new sections:
- 2
- 3 1 Department of State; Appropriation. The sum of \$90,000 for the fiscal year ending June 30,
- 4 2023, is hereby appropriated to the department of state for the purpose of updating annual software
- 5 subscriptions and additional programming costs for the high-speed scanners enabling additional
- 6 Accuvote audits to be conducted. Such funds shall be nonlapsing. The governor is authorized to
- 7 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
- 8 2 Effective Date. Section 1 of this act shall be effective June 30, 2023.

2023-1667s

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the department of state for certain software updates and high speed scanners enabling additional Accuvote audits.

Sen. Rosenwald, Dist 13
Sen. D'Allesandro, Dist 20
May 4, 2023
2023-1663s
07/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
4 M:11-a, I(g) to read as follows:

5 (g) "~~[Investigator]~~ **Fact facilitator**" means one or more individuals assigned by the
6 administrator to independently investigate a claim.

7 2 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
8 M:11-a, I(i) to read as follows:

9 (i) "Sexual abuse" means an incident of conduct which would constitute an offense under
10 RSA 632-A:2, RSA 632-A:3, or RSA 632-A:4, or a common law cause of action for assault or battery
11 that involves sexual contact or sexual penetration as defined by RSA 632-A:1. **Regardless of**
12 **whether physical contact or sexual contact has occurred, sexual abuse shall also include**
13 **acts defining an abused child under RSA 169-C:3, II, incidents of institutional child abuse**
14 **or neglect as defined under RSA 169-C:3, XVI, and acts constituting psychological abuse,**
15 **emotional abuse, child endangerment, trafficking in persons as contemplated by RSA**
16 **633:7, false imprisonment as contemplated by RSA 633:3, unlawful confinement, child**
17 **exploitation, and deprivation of educational rights.**

18 3 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
19 M:11-a, V to read as follows:

20 V. For all claims involving both sexual and physical abuse or sexual abuse only, no
21 individual claimant shall be paid more than \$1,500,000 in settlement of all claims in the aggregate.
22 For all claims involving physical abuse only, no individual claimant shall be paid more than
23 \$150,000 in settlement of all physical abuse claims in the aggregate. **The attorney general**
24 **designee and the administrator may authorize an individual claimant's settlement to be**
25 **more than \$1,500,000 when the nature and character of the acts of abuse, or the frequency**
26 **and duration of those acts, are so egregious that the deciding parties deem a higher**
27 **settlement necessary. In no instance shall any individual claimant be paid more than the**
28 **threshold amount at which a financial settlement would be subject to legislative approval**
29 **under RSA 14:35-b**

30 4 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
31 M:11-a, VIII (c)-(f) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (c) Once a claim is considered complete, the AG designee shall have 30 days to indicate
2 to the claimant and the administrator its position regarding the claim. The AG designee may agree
3 or disagree with the claim in whole or in part, and shall indicate whether he or she believes the
4 claim should be referred to ~~[an investigator]~~ a *fact facilitator*. The administrator may grant the
5 AG designee an extension of time to indicate its position for good cause shown.

6 (d) Following receipt of the AG designee's position, the administrator may refer a claim
7 to ~~[an investigator]~~ a *fact facilitator* if, in the administrator's independent judgment, an
8 investigation is needed. The administrator shall direct the investigator as to any particular aspects
9 of the claimant's claim for which the administrator seeks further information or verification, and in
10 such case, the investigation shall be limited to that scope. If the administrator elects not to refer a
11 claim to ~~[an investigator]~~ a *fact facilitator*, then the administrator shall so notify the AG designee
12 and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG
13 designee's position, to request the administrator decide the claim, or to withdraw his or her claim
14 from further processing. Within 30 days of receiving the position of the AG designee, the claimant
15 shall indicate to the administrator and the AG designee whether he or she agrees with the AG
16 designee's position, whether he or she wishes for the administrator to decide the claim, or whether
17 he or she wishes to withdraw his or her claim from further processing. In the absence of an
18 indication from the claimant, the administrator may assume that the claimant is in agreement with
19 the position of the AG designee.

20 (e) The purpose of an investigation shall be to verify a claim, as submitted, if possible.
21 The investigation shall, to the greatest extent possible, be conducted in a trauma-informed,
22 respectful, and dignified manner. The investigation may include an interview of the claimant, which
23 may be conducted under oath and recorded. The ~~[investigator]~~ *fact facilitator* may also request to
24 review additional records related to the claim. The claimant shall be entitled to the assistance of an
25 advocate in connection with the investigation process who shall be allowed to accompany the
26 claimant during any interview. The claimant shall execute such documents or authorizations as
27 may be necessary to permit the ~~[investigator]~~ *fact facilitator* to access records. If the claimant is
28 represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A
29 claim may be denied if a claimant refuses to cooperate with the investigation. Except in
30 extraordinary circumstances, investigations should be completed within 90 days of referral.

31 (f) The ~~[investigator]~~ *fact facilitator* shall present a report to the administrator of his
32 or her findings, which shall include a summary of any interviews conducted or records gathered, a
33 copy of any such supporting documentation, records and recordings. The administrator shall provide
34 a copy of the ~~[investigator's]~~ *fact facilitator's* report and supporting documentation to the claimant
35 and the AG designee once received.

36 5 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
37 M:11-a, IX(a) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 IX.(a) When a claimant requests that the administrator decide the claim, the administrator
2 shall schedule the claim for a resolution proceeding according to the procedures approved by the
3 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
4 although parties and witnesses may attend by telephone or video conference in the discretion of the
5 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
6 that they are received and determined to be complete, except that the administrator may also give
7 consideration to the time for which litigation may have been pending prior to the filing of a claim.
8 ~~[By requesting a resolution proceeding,]~~ **When a claimant accepts the administrator's decision**
9 **on the claim**, a claimant fully waives his or her right to seek other or additional monetary relief in
10 any forum from the state of New Hampshire or any of its agents or employees, or from any of its
11 political subdivisions or their agents or employees arising out of or relating to any incidents which
12 are or could have been the subject of a claim, except that the claimant does not waive his or her right
13 to seek or continue to seek relief in any forum from an individual whose direct, personal actions
14 constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of
15 the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers,
16 releases, or other documents as a condition of scheduling a resolution proceeding, provided that such
17 documents expressly preserve the right to pursue claims against individual perpetrators as
18 described.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
4 M:11-a, I(g) to read as follows:

5 (g) "~~[Investigator]~~ **Fact facilitator**" means one or more individuals assigned by the
6 administrator to independently investigate a claim.

7 2 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
8 M:11-a, VIII (c)-(f) to read as follows:

9 (c) Once a claim is considered complete, the AG designee shall have 30 days to indicate
10 to the claimant and the administrator its position regarding the claim. The AG designee may agree
11 or disagree with the claim in whole or in part, and shall indicate whether he or she believes the
12 claim should be referred to ~~[an investigator]~~ **a fact facilitator**. The administrator may grant the
13 AG designee an extension of time to indicate its position for good cause shown.

14 (d) Following receipt of the AG designee's position, the administrator may refer a claim
15 to ~~[an investigator]~~ **a fact facilitator** if, in the administrator's independent judgment, an
16 investigation is needed. The administrator shall direct the investigator as to any particular aspects
17 of the claimant's claim for which the administrator seeks further information or verification, and in
18 such case, the investigation shall be limited to that scope. If the administrator elects not to refer a
19 claim to ~~[an investigator]~~ **a fact facilitator**, then the administrator shall so notify the AG designee
20 and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG
21 designee's position, to request the administrator decide the claim, or to withdraw his or her claim
22 from further processing. Within 30 days of receiving the position of the AG designee, the claimant
23 shall indicate to the administrator and the AG designee whether he or she agrees with the AG
24 designee's position, whether he or she wishes for the administrator to decide the claim, or whether
25 he or she wishes to withdraw his or her claim from further processing. In the absence of an
26 indication from the claimant, the administrator may assume that the claimant is in agreement with
27 the position of the AG designee.

28 (e) The purpose of an investigation shall be to verify a claim, as submitted, if possible.
29 The investigation shall, to the greatest extent possible, be conducted in a trauma-informed,
30 respectful, and dignified manner. The investigation may include an interview of the claimant, which
31 may be conducted under oath and recorded. The ~~[investigator]~~ **fact facilitator** may also request to
32 review additional records related to the claim. The claimant shall be entitled to the assistance of an

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 advocate in connection with the investigation process who shall be allowed to accompany the
2 claimant during any interview. The claimant shall execute such documents or authorizations as
3 may be necessary to permit the ~~[investigator]~~ *fact facilitator* to access records. If the claimant is
4 represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A
5 claim may be denied if a claimant refuses to cooperate with the investigation. Except in
6 extraordinary circumstances, investigations should be completed within 90 days of referral.

7 (f) The ~~[investigator]~~ *fact facilitator* shall present a report to the administrator of his
8 or her findings, which shall include a summary of any interviews conducted or records gathered, a
9 copy of any such supporting documentation, records and recordings. The administrator shall provide
10 a copy of the ~~[investigator's]~~ *fact facilitator's* report and supporting documentation to the claimant
11 and the AG designee once received.

12 3 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
13 M:11-a, IX(a) to read as follows:

14 IX.(a) When a claimant requests that the administrator decide the claim, the administrator
15 shall schedule the claim for a resolution proceeding according to the procedures approved by the
16 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
17 although parties and witnesses may attend by telephone or video conference in the discretion of the
18 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
19 that they are received and determined to be complete, except that the administrator may also give
20 consideration to the time for which litigation may have been pending prior to the filing of a claim.

21 ~~[By requesting a resolution proceeding.]~~ *When a claimant accepts the administrator's decision*
22 *on the claim*, a claimant fully waives his or her right to seek other or additional monetary relief in
23 any forum from the state of New Hampshire or any of its agents or employees, or from any of its
24 political subdivisions or their agents or employees arising out of or relating to any incidents which
25 are or could have been the subject of a claim, except that the claimant does not waive his or her right
26 to seek or continue to seek relief in any forum from an individual whose direct, personal actions
27 constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of
28 the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers,
29 releases, or other documents as a condition of scheduling a resolution proceeding, provided that such
30 documents expressly preserve the right to pursue claims against individual perpetrators as
31 described.

Sen. Bradley, Dist 3
May 24, 2023
2023-1990s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 423 with the following:
- 2
- 3 423 Appropriation; Department of Environmental Services. The sum of \$1,000,000 for the fiscal
- 4 year ending June 30, 2023 is hereby appropriated to the department of environmental services for
- 5 deposit into the cyanobacteria mitigation loan and grant fund. The governor is authorized to draw a
- 6 warrant for said sum out of any money in the treasury not otherwise appropriated.
- 7 423-a Effective Date. This act shall take effect June 30, 2023.

Sen. Bradley, Dist 3
Sen. Rosenwald, Dist 13
May 24, 2023
2023-1989s
10/07

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following:
2
3 1 Residential Care and Health Facility Licensing; Exception Added. Amend RSA 151:2, VI(a) to
4 read as follows:
5 VI.(a) **(1)** No new license shall be issued for, and there shall be no increase in licensed
6 capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation
7 facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation
8 services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat
9 individuals for substance use disorder or mental health issues or to any continuing care facility for
10 which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-
11 D:2.
12 **(2) Provided however, effective July 1, 2023, any pediatric intermediate care**
13 **facility, established before the effective date of this subparagraph is authorized to house**
14 **one additional pediatric resident beyond its licensed capacity prior to that date, with this**
15 **authorization to expire June 30, 2024.**

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 437 with the following:
2
- 3 437 Department of Health and Human Services; Family Resource Centers; Appropriation.
4 There is hereby appropriated to the department of health and human services the sums of
5 \$2,000,000 for the state fiscal year ending June 30, 2024, and \$2,000,000 for the state fiscal year
6 ending June 30, 2025, to support family resource center (FRC) infrastructure. The appropriation
7 shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds
8 shall include, but not be limited to, better serving families, preparing for FRC-Q designation,
9 enhancing coordination with other early childhood systems, and supporting evidence-based
10 programs such as home visiting programs, ACERT, and community collaborations. The governor is
11 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
12 appropriated.
13
- 14 Amend the bill by inserting the following new sections:
15
- 16 1 New Subdivision; Labor; Protective Legislation; Policies Relating to Nursing Mothers. Amend
17 RSA 275 by inserting after section 77 the following new subdivision:
18 Policies Relating to Nursing Mothers
19 275:78 Definitions. In this subdivision:
20 I. "Employee" shall mean a person who may be permitted, required, or directed by an
21 employer in consideration of direct or indirect gain or profit but shall not include any individual who
22 volunteers services for a public, charitable, or religious facility without expectation or promise of
23 pay.
24 II. "Employer" shall mean a person, partnership, association, corporation, or legal
25 representative of a person, partnership, association, or corporation, or the state or any of its political
26 subdivisions, which has 6 or more employees working in the state.
27 III. "Expression of milk" means the initiation of lactation by manual or mechanical means
28 but shall not include breastfeeding.
29 IV. "Reasonable break period" shall mean an unpaid break of approximately 30 minutes for
30 every 3 hours of work performed by a nursing employee for the purpose of expressing milk.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 V. "Undue hardship" shall mean any action that requires significant difficulty or expense
2 when considered in relation to factors such as the size of the business, its financial resources and the
3 nature and structure of its operation.

4 275:79 Notification of Policies.

5 I. Every employer shall adopt a policy to address the provision of sufficient space and
6 reasonable break periods for nursing employees that need to express milk during working hours.

7 II. Every employer shall, at the time of hire, make available to its employees the employer's
8 policy related to expression of milk during working hours.

9 III. A nursing employee shall notify its employer at least 2 weeks prior to needing
10 reasonable break periods and sufficient space for expression of milk during work hours.

11 275:80 Sufficient Space.

12 I. Every employer shall provide access to reasonable, sufficient space, either temporary or
13 permanent in nature, for the use of an employee to express milk for a nursing child for a period of
14 one year from the date of birth of the child.

15 II. The location of the space provided shall be within a reasonable walk of the employee's
16 worksite, unless otherwise mutually agreed to by the employer and employee.

17 III. Sufficient space provided in accordance with this section shall not be a bathroom, and
18 shall be a clean space shielded from view and free from intrusion from coworkers and the public.

19 (a) If the space is not solely for the use of employees expressing milk it shall be made
20 available when requested to comply with the requirements set forth in this subdivision.

21 (b) If feasible, the room shall have, at a minimum, an electrical outlet and a chair.

22 275:81 Reasonable Break Period.

23 I. Every employer shall provide reasonable break periods to employees who need to express
24 milk for a child for a period of one year from the date of birth of the child. Nothing in this section
25 shall preclude an employer from negotiating with an employee reasonable break periods to express
26 milk that are different from the requirements in this subdivision.

27 II. Nothing under this subdivision shall preclude an employee from taking a reasonable
28 break period contemporaneously with break or meal periods already provided to the employee by the
29 employer.

30 III. An employer shall not require an employee to make up time related to use of unpaid
31 reasonable break periods.

32 275:82 Penalties. Any employer who violates any provision of this subdivision shall be subject
33 to a one-time civil penalty pursuant to RSA 273:11-a.

34 275:83 Hardship Exemption. An employer may be exempted from this subdivision if providing
35 reasonable break time and sufficient space for expressing milk would impose an undue hardship to
36 the employer's operations.

37 2 Effective Date.

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

- 1 I. Section 1 of this act, except for RSA 275:82, shall take effect July 1, 2025.
- 2 II. RSA 275:82, as inserted by section 1 of this act shall take effect July 1, 2026.

TENTATIVE PROVISION

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following:
- 2
- 3 1 Department of Health and Human Services; Early Childhood Mental Health Consultation
- 4 Pilot Program.
- 5 I. The department of health and human services shall implement a minimum 2-year pilot
- 6 program to develop and maintain a publicly available network of trauma-informed early childhood
- 7 mental health consultants and ensure ongoing training and consultation of the early childhood
- 8 mental health consultants. The department may consult with outside resources when establishing
- 9 the pilot program. Under the pilot program, early childhood mental health consultations shall be:
- 10 (a) Provided by qualified mental health professionals who possess a masters or doctoral-
- 11 level degree in the mental health field and who demonstrate evidence of specialized training and
- 12 experience in infant and early childhood mental health as established by the department;
- 13 (b) Offered, if necessary, to children across settings and regardless of changes to setting
- 14 and placement;
- 15 (c) Integrated with other available behavioral health and family support services
- 16 providers, including but not limited to the care management entities established under RSA 135-F,
- 17 early childhood mental health services, and early supports and services; and
- 18 (d) Implemented in accordance with this section and include, but not be limited to, the
- 19 following services:
- 20 (1) Conducting observation and assessment of a child and their caregivers across
- 21 child care settings, including universal strengths-based assessments in accordance with this chapter
- 22 and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure
- 23 to stress and symptoms, emotional and behavioral development, and the strengths and needs of the
- 24 caregiving/child-caregiver relationship;
- 25 (2) Consulting with caregivers, teachers, directors, administrators, and other
- 26 medical and behavioral health providers about the meaning of challenging behaviors and how to
- 27 meet the needs of the child and care givers;
- 28 (3) Strengthening caregiver and professional capacity to successfully handle
- 29 challenging behaviors through developmentally appropriate methods, including but not limited to
- 30 reflective questioning, developmental guidance, modeling, and role playing;
- 31 (4) Offering training in young child socio-emotional development, emotional and
- 32 behavioral regulation, and trauma exposure to caregivers and professionals; and

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (5) Be provided to any child 0 to 6 years of age presenting with behaviors
2 substantially interfering with their successful engagement in child care and to any child who is
3 placed or at risk of being placed in foster care within 30 days of their placement in care.

4 II. The department shall establish the eligibility and referral process for consultations that
5 prioritize children in foster care or at risk of being placed in foster care.

6 III. Notwithstanding any paragraph of this section, the availability of consultations shall be
7 subject to available appropriations to this program.

8 2 Appropriation; Early Childhood Mental Health Consultation Pilot Program. The sum of
9 \$1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of
10 health and human services to support the early childhood mental health consultation pilot program.

11 Said funds shall not lapse and shall be allocated equally in each year of the biennium ending June
12 30, 2025.

13 3 Effective Date. Section 2 of this act shall take effect June 30, 2023.

Amendment to HB 2-FN-A-LOCAL

- 1 Insert the following new sections:
2
- 3 1 New Section; System of Care for Children's Mental Health; Early Childhood Behavioral
4 Health Supports. Amend RSA 135-F by inserting after section 9 the following new section:
5 135-F:10 Early Childhood Behavioral Health Supports Established.
6 I. The department of health and human services shall develop and maintain a publicly
7 available network of trauma-informed early childhood mental health consultants and ensure ongoing
8 training and consultation of the early childhood mental health consultants. Early childhood mental
9 health consultations shall be:
10 (a) Provided by qualified mental health professionals who possess a masters or doctoral-
11 level degree in the mental health field and who demonstrate evidence of specialized training and
12 experience in infant and early childhood mental health as established by the department;
13 (b) Offered, if necessary, to children across settings and regardless of changes to setting
14 and placement;
15 (c) Integrated with other available behavioral health and family support services
16 providers, including but not limited to the care management entities established under RSA 135-F,
17 early childhood mental health services, and early supports and services; and
18 (d) Implemented in accordance with this chapter and include, but not be limited to, the
19 following services:
20 (1) Conducting observation and assessment of a child and their caregivers across
21 child care settings, including universal strengths-based assessments in accordance with this chapter
22 and RSA 170-G:4-e and the use of valid and reliable measures of: trauma exposure, chronic exposure
23 to stress and symptoms, emotional and behavioral development, and the strengths and needs of the
24 caregiving/child-caregiver relationship;
25 (2) Consulting with caregivers, teachers, directors, administrators, and other
26 medical and behavioral health providers about the meaning of challenging behaviors and how to
27 meet the needs of the child and care givers;
28 (3) Strengthening caregiver and professional capacity to successfully handle
29 challenging behaviors through developmentally appropriate methods, including but not limited to
30 reflective questioning, developmental guidance, modeling, and role playing;
31 (4) Offering training in young child socio-emotional development, emotional and
32 behavioral regulation, and trauma exposure to caregivers and professionals; and

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (5) Be provided to any child 0-6 presenting with behaviors substantially interfering
2 with their successful engagement in child care and to any child who is placed or at risk of being
3 placed in foster care within 30 days of their placement in care.

4 II. The department shall establish the eligibility and referral process for the consultations
5 that prioritized children in foster care or at risk of being placed in foster care.

6 III. Notwithstanding any paragraph of this section, the availability of consultations shall be
7 subject to available appropriations to this program.

8 2 Department of Health and Human Services; Children's Mental Health Consultation;
9 Appropriation. The sum of \$500,000 for the fiscal year ending June 30, 2024, and the sum of
10 \$500,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health
11 and human services for the purpose of providing mental health consultation for young children in
12 childcare. The governor is authorized to draw a warrant for said sums out of any money in the
13 treasury not otherwise appropriated.

14 3 Prospective Repeal. Early Childhood Behavioral Health Supports Pilot Program. Section 1 of
15 this act is repealed.

16 4 Effective Date. Section 3 of this act shall take effect June 30, 2025.

Sen. Gray, Dist 6
May 23, 2023
2023-1985s
07/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following new sections:
2
- 3 1 Appropriation; Department of Administrative Services; Circuit Court Facility; Purchase of
4 Land. The location for siting of the new seventh circuit court facility shall be in the city of
5 Rochester, New Hampshire identified on map 0255, lot 0021-0001 on November 1, 2022.
6 Notwithstanding any other provision of law, the state, through the department of administrative
7 services, shall be permitted to enter into an agreement to acquire the property from Rochester for
8 the sum of \$1.00 and the sum of \$1.00 is hereby appropriated to the department of administrative
9 services for the biennium ending June 30, 2025 for the purpose of purchasing the land from the city
10 of Rochester identified on map 0255, lot 0021-0001 on November 1, 2022. The governor is authorized
11 to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
- 12 2 Sale of Land; Department of Administrative Services; Circuit Court Facility. Notwithstanding
13 any other provision of law, the state, through the department of administrative services, shall be
14 permitted to enter into an agreement to sell property and facility to the city of Rochester where the
15 current seventh circuit court facility is located on map 0121, lot 0016-0000 on October 1, 2022 for the
16 sum of \$1.00. The sale of the current courthouse and land shall not occur until the new seventh
17 circuit court facility is constructed, furnished, and operating.

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 185 and 186 with the following:
2
- 3 185 Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read
4 as follows:
5 77-A:20-a Distribution of Funds.
- 6 I. The commissioner shall determine ~~[the additional amounts of]~~ **41 percent of the revenue**
7 produced by ~~[an increase of 1.5 percent in the rate of]~~ **the** tax imposed by RSA 77-A:2 for each fiscal
8 year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the
9 education trust fund established by RSA 198:39.
- 10 II. The commissioner shall make quarterly estimates of the amount of ~~[additional revenues]~~
11 **revenue** that will be produced ~~[by the increase in tax rate]~~ for the next fiscal year and shall certify
12 such amounts to the state treasurer for deposit in the education trust fund established by RSA
13 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each
14 year.
- 15 186 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to
16 read as follows:
17 77-E:14 Distribution of Funds.
- 18 I. The commissioner shall determine ~~[the additional amounts of]~~ **41 percent of the revenue**
19 produced by ~~[an increase of .50 percent in the rate of]~~ **the** tax imposed by RSA 77-E:2 for each fiscal
20 year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the
21 education trust fund established by RSA 198:39.
- 22 II. The commissioner shall make quarterly estimates of the amount of ~~[additional revenues]~~
23 **revenue** that will be produced ~~[by the increase in tax rate]~~ for the next fiscal year and shall certify
24 such amounts to the state treasurer for deposit in the education trust fund established by RSA
25 198:39. Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each
26 year.

Amendment to HB 46-FN

- 1 Amend the title of the bill by replacing it with the following:
2
- 3 AN ACT establishing a committee to study replacement of bail commissioners with court
4 magistrates, and relative to release of a defendant pending trial.
5
- 6 Amend the bill by replacing all after section 5 with the following:
7
- 8 6 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, I-III(a) to
9 read as follows:
- 10 I. Except as provided in paragraph III or VI, upon the appearance before the court of a
11 person charged with an offense, the court shall issue an order that, pending arraignment or trial, the
12 person be:
- 13 (a) Released on his or her personal recognizance or upon execution of an unsecured
14 appearance bond, pursuant to the provisions of paragraph III;
- 15 (b) Released on a condition or combination of conditions pursuant to the provisions of
16 paragraph III;
- 17 (c) Detained; or
- 18 (d) Temporarily detained to permit revocation of conditional release pursuant to the
19 provisions of paragraph VIII.
- 20 II. Except as provided in RSA 597:1-d, a person charged with a probation violation shall be
21 entitled to a bail hearing. The court shall issue an order that, pending a probation violation hearing,
22 the person be:
- 23 (a) Released on his or her personal recognizance or upon execution of an unsecured
24 appearance bond, pursuant to the provisions of paragraph III;
- 25 (b) Released on a condition or combination of conditions pursuant to the provisions of
26 paragraph III; or
- 27 (c) Detained.
- 28 III. When considering whether to release or detain a person, the court **and, if applicable,**
29 **a bail commissioner** shall consider the following issues:
30 (a) Safety of the public or the defendant.
- 31 (1) **Except as provided in RSA 597:1-c, a person who is charged with**
32 **homicide under RSA 630; first degree assault under RSA 631:1; second degree assault**

1 under RSA 631:2; domestic violence under RSA 631:2-b; aggravated felonious sexual assault
2 under RSA 632-A:2; felonious sexual assault under RSA 632-A:3; kidnapping under RSA
3 633:1; stalking under RSA 633:3-a; trafficking in persons under RSA 633:7; robbery under
4 RSA 636:1, III; possession, manufacture, or distribution of child sexual abuse images under
5 RSA 649-A; or computer pornography and child exploitation under RSA 649-B; shall not be
6 brought before a bail commissioner and shall, upon arrest, be detained pending
7 arraignment before the court. Arraignment shall occur no later than 24 hours after the
8 arrest, Saturdays, Sundays, and legal holidays excluded, or no later than 36 hours after
9 arrest if arrested between 8:00 a.m. and 1:00 p.m. and the person's attorney is unable to
10 attend an arraignment on the same day, Saturdays, Sundays, and legal holidays excluded.
11 At the person's appearance before the court, the court shall order that the person be
12 detained pending trial if the court determines by clear and convincing evidence that
13 release of the person is a danger to the public or themselves. In determining whether
14 release will endanger the safety of that person or the public, the court may consider all
15 relevant and material factors presented pursuant to paragraph IV. If the court does not
16 find by clear and convincing evidence that the person must be detained, the court shall
17 order the person released pursuant to paragraph I(a) or paragraph I(b), or, if applicable,
18 temporarily detained pursuant to paragraph I(d).

19 (2) If a person is charged with any other criminal offense, an offense listed in RSA
20 173-B:1, I, or a violation of a protective order under RSA 458:16, III, or after arraignment, is charged
21 with a violation of a protective order issued under RSA 173-B, the court may order preventive
22 detention without bail, or, in the alternative, may order restrictive conditions including but not
23 limited to electronic monitoring and supervision, only if the court determines by clear and convincing
24 evidence that release will endanger the safety of that person or the public. In determining whether
25 release will endanger the safety of that person or the public, the court may consider all relevant
26 factors presented pursuant to paragraph IV.

27 7 Appropriation; Department of Safety; Division of State Police. The sum of \$1,000,000 is
28 hereby appropriated in the fiscal year ending June 30, 2023, to the department of safety, division of
29 state police, to develop and implement a system to electronically share an individual's bail condition
30 status with law enforcement. This appropriation shall not lapse. The governor is authorized to
31 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

32 8 Effective Date.

33 I. Section 7 of this act shall take effect June 30, 2023.

34 II. Section 6 of this act shall take effect January 1, 2024.

35 III. The remainder of this act shall take effect upon its passage.

Sen. Bradley, Dist 3
May 24, 2023
2023-2009s
02/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following sections:

2

3 1 Appropriation; Department of Health and Human Services; Integrated Eligibility System.
4 There is hereby appropriated the sum of \$167,700 for the fiscal year ending June 30, 2023, which
5 shall be nonlapsing until June 30, 2025, to the department of health and human services for the
6 purpose of funding an audit of the integrated eligibility system. The department may accept and
7 expend matching federal funds without prior approval of the fiscal committee. The governor is
8 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
9 appropriated.

10 2 Effective Date. Section 1 of this act shall take effect on June 30, 2023.

2023-2009s

AMENDED ANALYSIS

Add:

1. Makes an appropriation to the department of health and human services for an audit of the integrated eligibility system.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:
2

3 1 Appropriation; Office of the Governor; Undergraduate Tuition Reduction.

4 I. There is hereby appropriated to the office of the governor the sum of \$3,000,000 in the
5 fiscal year ending June 30, 2023. The governor may transfer said appropriation to the university
6 system of New Hampshire, based upon certification provided in paragraph II, for the purpose of
7 reducing undergraduate tuition rates for New Hampshire residents attending Keene state college
8 and Plymouth state university during the biennium ending June 30, 2025. This appropriation shall
9 not be used for any other purpose. The governor is authorized to draw a warrant for said sums out
10 of any money in the treasury not otherwise appropriated.

11 II. The university system of New Hampshire board of trustees may certify to the office of the
12 governor it has allocated \$3,000,000 for the purpose of reducing undergraduate tuition rates for New
13 Hampshire residents attending Keene state college and Plymouth state university during the
14 biennium ending June 30, 2025. Upon certification, the university system of New Hampshire shall
15 be eligible for sums appropriated in paragraph I of section 1 of this act, which after transferred shall
16 not lapse.

17 2 Effective Date. Section 1 of this act shall take effect June 30, 2023.

2023-2016s

AMENDED ANALYSIS

Insert:

1. Makes an appropriation to the office of the governor for the purpose of reducing
undergraduate tuition rates for New Hampshire residents attending Keene State College and
Plymouth State University during the biennium ending June 30, 2025.