

SB 127-FN-A-LOCAL - AS INTRODUCED

2021 SESSION

21-0912

08/10

SENATE BILL ***127-FN-A-LOCAL***

AN ACT adopting omnibus legislation on appropriations.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Finance

ANALYSIS

This bill adopts legislation relative to:

I. Annual grants to regional economic development corporations.

II. Establishing an animal records database.

III. Making an appropriation for affordable housing.

IV. Making an appropriation to the department of education for the purpose of funding air quality improvements in public school buildings.

V. Crediting excess funds in the investor education fund to the FRM victim's fund.

VI. Adequacy payments for home-schooled students.

VII. Making an appropriation to the department of environmental services for the purpose of funding public water system projects.

VIII. Making an appropriation to the department of environmental services for funding eligible wastewater projects.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

21-0912
08/10

In the Year of Our Lord Two Thousand Twenty One

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

30 Relative to annual grants to regional economic development corporations.

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1 1 New Section; Business Finance Authority; Annual Grants to Regional Economic Development
2 Corporations. Amend RSA 162-A by inserting after section 7-a the following new section:

3 162-A:7-b Annual Grants to Regional Economic Development Corporations. The sum of
4 \$200,000 is hereby appropriated annually to the authority for the purpose of providing equal grants
5 to regional economic development corporations in furtherance of the objectives set forth in RSA 162-
6 A:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not
7 otherwise appropriated. Funds appropriated to the authority under this section shall be excluded
8 from the repayment provisions of RSA 162-A:30.

9 2 Repeal. RSA 162-A:7-b, relative to annual grants to regional economic development
10 corporations, is repealed.

11 3 Effective Date.

12 I. Section 2 of part I of this act shall take effect June 30, 2031.

13 II. The remainder of part I of this act shall take effect July 1, 2021.

14 PART II

15 Establishing an animal records database.

16 1 New Sections; Animal Records Database. Amend RSA 437 by inserting after section 8 the
17 following new sections:

18 437:8-a Animal Records Database Established.

19 I. The department of agriculture, markets, and food shall design, establish, and contract
20 with a third party for the implementation and operation of an electronic system to facilitate the
21 handling of animal records. The department shall maintain a statewide database of all health
22 certificates for any dog, cat, or ferret for which it is required; records of all rabies vaccinations;
23 records of quarantine for any animal brought into New Hampshire for transfer under RSA 437:8, IV;
24 any records required of pet vendors for the transfer of any animal that is not a dog, cat, or ferret;
25 license information for pet vendors required to be licensed under RSA 437:3, and the number of
26 individual and group licenses issued each year by each municipality in New Hampshire under RSA
27 466.

28 II. Such database may also be used to record other data relevant to the oversight of pet
29 animal health in the state as the commissioner deems necessary.

30 III. The department shall maintain a reporting system capable of receiving electronically
31 transmitted reports from veterinarians, pet vendors, animal shelters, and any other person the
32 department requires by rule to submit animal records. Authorized users shall be capable of working
33 in offline mode when an Internet connection is not available. The commissioner shall adopt rules
34 under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it
35 deems necessary to manage such database including procedures for providing authorized access by
36 licensed veterinarians, municipal clerks, and other persons the commissioner requires to access to
37 the database. The commissioner shall also adopt rules pursuant to RSA 541-A relative to the

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1 collection of fees necessary to maintain the database. The commissioner shall also ensure that the
2 database is secure from unauthorized access or use.

3 IV. There is established a nonlapsing fund to be known as the animal records database fund
4 in the department of agriculture, markets, and food which shall be kept distinct and separate from
5 all other funds. All moneys in the animal records database fund shall be nonlapsing and continually
6 appropriated to the commissioner, and except as otherwise provided in law, shall be used for the
7 purpose of administering and maintaining the animal records database established in this section.
8 The database fund shall draw moneys only from grants, appropriations, and the fees in RSA 437:8-a.

9 V. Notwithstanding paragraph IV, the fund shall be initiated by transfers from the
10 agricultural product and scale testing fund established under RSA 435:20, IV, as provided in RSA
11 435:20,V-a, and the integrated pest management fund established under RSA 430:50, as provided in
12 RSA 430:50, IV-a. After the animal records database is operational, the commissioner may
13 reimburse first the integrated pest management fund, and then the agricultural product and scale
14 testing fund, over a period of 5 years as provided in RSA 435:20, V-b and RSA 430:50, IV-b.

15 437:8-b Confidentiality.

16 I. Information contained in the database, information obtained from it, and information
17 contained in the records of requests for information from the database, shall be confidential, and
18 shall not be a public record or otherwise subject to disclosure under RSA 91-A, and shall not be
19 subject to discovery, subpoena, or other means of legal compulsion for release. Such information
20 shall not be shared with an agency or institution, except as provided in this subdivision.

21 II. The department shall establish and maintain procedures to ensure the privacy and
22 confidentiality of animal and animal owner information.

23 III. The department may use and release information and reports from the program for
24 program analysis and evaluation, statistical analysis, public research, public policy, and educational
25 purposes, provided that the data are aggregated or otherwise de-identified.

26 IV. No database records, information, or lists shall be sold, rented, transferred, or otherwise
27 made available in whole or in part, in any form or format, directly or indirectly, to another person.

28 V. Database records, information, or lists may be made available pursuant to a court order
29 on a case-by-case basis. In a case of potential rabies exposure, rabies vaccination information may
30 be made available in response to a request from the state, a political subdivision of the state, the
31 federal government, or a law enforcement agency solely for use in official business. Any information,
32 record, or list received pursuant to this paragraph shall not be transferred or otherwise made
33 available to any other person or listed entity not authorized under this paragraph.

34 VI. Any person who knowingly accesses, alters, destroys, or discloses program information
35 except as authorized in this subdivision or attempts to obtain such information by fraud, deceit,
36 misrepresentation, or subterfuge shall be guilty of a class B felony.

37 2 Health Certificates; Fee. Amend RSA 437:8 to read as follows:

437:8 Health Certificates for Dogs,Cats, and Ferrets.

I. For purposes of this chapter, an official health certificate means ~~[a certificate signed]~~ **an electronic record electronically submitted to the animal records database** by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification of the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included ~~[on or attached to]~~ **in the certificate. The signing veterinarian shall pay a fee not to exceed \$2 for each official health certificate submitted to the department of agriculture, markets, and food in accordance with rules established by the department for the submission of the health certificates for the administration of the animal records database.**

II. **The electronically submitted health certificate shall be considered the official health certificate. A copy of the health certificate of** ~~[The original of the official health certificate accompanying]~~ the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left the facility. The public shall be informed of their right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, **a copy of** that animal's health certificate shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. ~~[The transferee may accept a dog, cat, or ferret that has a noncontagious illness, or feline leukemia virus or feline immunodeficiency virus, which has caused it to fail its examination by a licensed veterinarian for an official health certificate. The transferee shall sign a waiver that indicates the transferee has knowledge of such dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.]~~

II-a. For purposes of this chapter, an official health certificate waiver means an electronic record electronically submitted to the animal records database provided in lieu of an official health certificate for a dog, cat, or ferret that has failed the examination for an official health certificate because of a non-contagious illness, feline leukemia, or feline immunodeficiency virus. The waiver shall contain the name and address of the entity transferring ownership of the dog, cat, or ferret; the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret; the reason for failure of the examination for the official health certificate; and the signature of the transferee indicating that the transferee has knowledge of the dog's, cat's, or ferret's non-contagious medical condition. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the health certificate waiver. The waiver shall be

1 *submitted electronically to the animal records database by a New Hampshire licensed*
2 *veterinarian, a New Hampshire licensed pet vendor, or other person authorized to submit*
3 *to the animal records database. The person submitting the health certificate waiver shall*
4 *pay a fee not to exceed \$2 for each official health certificate waiver submitted to the*
5 *department of agriculture, markets, and food in accordance with rules established by the*
6 *commissioner for the administration of the animal records database. Payments shall be*
7 *made electronically.*

8 III. No person, firm, corporation, or other entity shall ship or bring into the state of New
9 Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8
10 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or
11 ferret less than 8 weeks of age.

12 IV. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at
13 least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian
14 separated from other animals on the premises before being offered for transfer.

15 V. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the requirements of
16 this section relative to transferring dogs, cats, and ferrets except that:

17 (a) All animal shelter facilities shall have on premises a microchip scanner and shall
18 maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or
19 microchip registries.

20 (b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos,
21 ear tags, or other permanent forms of positive identification and shall scan for a microchip upon
22 admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to
23 transferring ownership of an unclaimed or abandoned animal.

24 VI. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual
25 without first being protected against infectious diseases using a vaccine approved by the state
26 veterinarian. ~~[No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual~~
27 ~~unless accompanied by an official health certificate issued by a licensed veterinarian. No transfer~~
28 ~~shall occur unless the transferred animal is accompanied by a health certificate issued within the~~
29 ~~prior 14 days. The certificate shall be in triplicate, one copy of which shall be retained by the signing~~
30 ~~veterinarian, one copy of which shall be for the licensee's records, and one copy of which shall be~~
31 ~~given to the transferee upon transfer as provided in paragraph III.]~~ ***No dog, cat, or ferret shall be***
32 ***offered for transfer by a licensee or by any individual unless accompanied by a copy of the***
33 ***official health certificate or official health certificate waiver issued by a licensed***
34 ***veterinarian within the prior 14 days. No transfer shall occur unless the transferred***
35 ***animal is accompanied by a copy of the official health certificate or official health***
36 ***certificate waiver. The official health certificate shall reside in the animal records***
37 ***database in a record which the issuing veterinarian and the licensee shall be authorized to***

access. A copy, generated by the veterinarian or the licensee, shall be provided to the transferee. The transferor shall retain a copy for his or her records. If an official health certificate is produced, it shall be prima facie evidence of transfer. ~~[The signing veterinarian shall provide a copy of the health certificate to the department of agriculture, markets, and food upon request.]~~

3 Duties of Veterinarian; Notification of Administration of Rabies Vaccine. Amend RSA 436:102 to read as follows:

436:102 Duties of Veterinarian. It shall be the duty of each veterinarian, at the time of vaccinating any dog, cat, or ferret, to complete a certificate of rabies vaccination ~~[in triplicate]~~ which includes the following information: owner's name and address, description of dog, cat, or ferret (breed, sex, markings, age, name), date of vaccination, rabies vaccination tag number, type of rabies vaccine administered, manufacturer's serial number of vaccine, and the expiration date of the vaccination. ~~[Distribution of copies of the certificate shall be: the original to the owner, one copy retained by the issuing veterinarian and, within 40 days of the vaccination, one copy to the town or city clerk where the dog, cat, or ferret is kept. The veterinarian and the owner shall retain their copies for the interval between vaccinations specified in RSA 436:100.]~~ ***The veterinarian shall enter the rabies vaccine certificate information electronically into the animal records database, and generate a copy for the owner, who shall retain that copy for the interval between vaccinations specified in RSA 436:100. The department shall provide city and town clerks access to database records of vaccination for all dogs, cats, and ferrets within their jurisdiction.*** A metal or durable plastic tag, serially numbered, shall be securely attached to the collar or harness of the dog. Whenever the dog is out-of-doors, off the owner's premises, and not under the control of the owner or handler while working the dog, the collar or harness with the vaccination tag shall be worn. For the purposes of this section, "working the dog" means a dog doing a defined functional canine activity with its owner or handler such as hunting, field work, drafting, and guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4), or participating in any lawful competitive event, including, but not limited to, conformation shows or obedience trials, field trials, agility events, hunts, sled races, or training activities pertinent to functional canine activities. Cats and ferrets shall not be required to wear the collar or harness with the tag.

4 Cost; Rabies Vaccination Fee. Amend RSA 436:103 to read as follows:

436:103 Cost. The cost of rabies vaccination shall be paid by the owner of the dog, cat, or ferret. ***A fee not to exceed \$2 shall be included in the cost of such vaccinations and shall be submitted to the department of agriculture, markets, and food in accordance with rules established by the department for submission of the vaccination certificate required in RSA 436:102 for the administration of the animal records database.***

5 New Subparagraph; Animal Records Database Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

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(365) Moneys deposited in the animal records database fund established in RSA 437:8-a, IV.

6 New Paragraph; Agricultural Product and Scale Testing Fund; Transfer Authority. Amend RSA 435:20 by inserting after paragraph IV the following new paragraphs:

V.(a) The commissioner shall transfer funds from the agricultural product and scale testing fund established under RSA 435:20, IV to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the agricultural product and scale testing fund to the animal records database fund for this purpose.

(b) After the animal records database is operational, for the purpose of reimbursement, the commissioner may transfer funds back to the agricultural product and scale testing fund for a period of 5 years from the date of certification, employing any surplus over the ongoing cost of database operation and maintenance. All transfers shall end 5 years after certification, whether or not reimbursement is completed.

7 New Paragraph; Integrated Pest Management Fund; Transfer Authority. Amend RSA 430:50 by inserting after paragraph III the following new paragraphs:

IV.(a) The commissioner shall transfer funds from the integrated pest management fund established in this section to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the integrated pest management fund to the animal records database fund for this purpose.

(b) After the animal records database is operational, for the purpose of reimbursement, the commissioner is authorized to transfer funds back to the integrated pest management fund for a period of 5 years from the date of certification, employing any surplus over the ongoing cost of database operation and maintenance. All transfers shall end 5 years after certification, whether or not reimbursement is completed.

8 Repeal. The following are repealed:

I. RSA 430:50, IV(a), relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the integrated pest management fund.

II. RSA 430:50, IV(b), relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds to the integrated pest management fund.

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funding air quality improvements in public school buildings.

1 Appropriation; Department of Education.

I. The sum of \$20,000,000 for the biennium ending June 30, 2023 is hereby appropriated to the commissioner of the department of education for funding testing, equipment purchases, and installation of heating, ventilation, and air conditioning upgrades and air quality improvement in public school buildings. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department of education shall establish criteria for awarding funds, the share of total project cost to be matched from this operating budget appropriation, and, if deemed appropriate to fund more projects, set a limit of state matching funds for any one project.

2 Effective Date. Part IV of this act shall take effect July 1, 2022.

PART V

Crediting excess funds in the investor education fund to the FRM victim's fund.

1 New Paragraph; FRM Victims' Contribution Recovery Fund. Amend RSA 359-P:2 by inserting after paragraph I the following new paragraph:

I-a. In addition to the funds contributed under paragraph I, the fund shall also consist of the amount contributed under RSA 421-B:6-601(j).

2 New Subparagraph; Uniform Securities Act; Administration of Chapter; Investor Education Fund. Amend RSA 421-B:6-601 by inserting after subparagraph (i) the following new subparagraph:

(j) Any excess of the funds credited to the general fund pursuant to paragraph (h) up to \$500,000 per fiscal year shall be contributed to the FRM victims' contribution recovery fund established in RSA 359-P:2.

3 Repeal. The following are repealed:

I. RSA 359-P:2, I-a, relative to funds contributed pursuant to RSA 421-B:6-601(j).

II. RSA 421-B:6-601(j), relative to moneys contributed to the FRM victims' contribution recovery fund.

4 Effective Date.

I. Section 3 of part V of this act shall take effect July 1, 2024.

II. The remainder of part V of this act shall take effect June 30, 2021.

PART VI

Relative to adequacy payments for home-schooled students.

1 Adequate Education; Definitions; Average Daily Membership in Attendance. Amend RSA 198:38, I(b) to read as follows:

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a **kindergarten through grade 12** school board approved public [high] school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public [high] school. ~~[The department of education shall only make grant~~

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~~payments for such pupils to the extent of available appropriations. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.]~~

2 Effective Date. Part VI of this act shall take effect 60 days after its passage.

PART VII

Making an appropriation to the department of environmental services for the purpose of funding public water system projects.

1 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of \$500,000 for the fiscal year ending June 30, 2022 and \$500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of funding public water system projects under RSA 486-A. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Effective Date. Part VII of this act shall take effect July 1, 2021.

PART VIII

Making an appropriation to the department of environmental services for funding eligible wastewater projects.

1 Department of Environmental Services; Appropriation. There is hereby appropriated to the department of environmental services the sum of \$5,735,248 for the fiscal year ending June 30, 2022 and \$6,919,115 for the fiscal year ending June 30, 2023, which shall be nonlapsing, for the purpose of funding eligible wastewater projects under RSA 486. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2 Effective Date. Part VIII his act shall take effect July 1, 2021.

SB 127-FN-A-LOCAL- FISCAL NOTE
AS INTRODUCED

AN ACT adopting omnibus legislation on appropriations.

PART I: Relative to annual grants to regional economic development corporations,

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$200,000	\$200,000	\$200,000
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$200,000	\$200,000	\$200,000
<i>Funding Source:</i>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other-

COUNTY:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This section appropriates \$200,000 in FY 2022 and each year thereafter until FY 2031 from moneys not otherwise appropriated to the Business Finance Authority for the purpose of providing equal grants to regional economic development corporations in furtherance of the objectives of RSA 162-A:1, including preservation and development of business and industry for the betterment of the economy of the state and its inhabitants. It is unclear if county and local government would be eligible to directly receive these grants since it specifies the grants are for regional economic development corporations. RSA 162-A:2, XII provides a definition for local development organization which includes regional development corporation. This definition also states "The term "local development organization" shall include a town, city or county if such town, city or county has published written procedures for participating in economic development activities through the loaning of funds or the enhancement of credit".

AGENCIES CONTACTED:

None

PART II: Establishing an animal records database.

FISCAL IMPACT: ☒ State ☒ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$675,000-\$1,000,000	\$0	\$300,000 +/-
Revenue	\$0	\$0	\$0	\$325,000 +/-
Expenditures	\$0	\$675,000-\$1,000,000	\$0	\$300,000 +/-
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other-Agricultural product and scale testing fund, pesticides control fund and fee revenue			

COUNTY:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	Indeterminable

METHODOLOGY:

This section creates a database for animal health records and authorizes the Commissioner of the Department of Agriculture, Markets and Food to transfer money from the agricultural product and scale testing and pesticide control funds to establish the database for up to 2 years and shall certify the date when such database is operational. A dedicated nonlapsing continually appropriated animal records database fund is established in the Department to be used for administering and maintaining the animal records database and shall draw money only from grants, appropriations and fees as specified. After the animal records database is certified as operational, the commissioner may reimburse first the integrated pest management fund, and then the agricultural product and scale testing fund, over a period of 5 years, employing any surplus over the ongoing cost of database operation and maintenance. All reimbursement transfers shall end 5 years after certification, whether or not reimbursement is completed. The section establishes a fee not to exceed \$2 fee on animal health certificates, rabies vaccines and health certificate waivers, and requires veterinarians to submit the certificates electronically to the animal records database at Department of Agriculture, Markets and Foods. The Department of Agriculture, Markets and Food makes the following assumptions regarding the fiscal impact of this section:

- Based on data available from the American Veterinary Medical Association regarding pet ownership, the Department estimates over 45,000 health certificates will be issued annually.

- Regarding the annual rabies vaccine, the Department estimates 77,733 dogs and 110,400 cats are vaccinated each year, for a total of about 188,000 vaccines annually. The Department assumes the fee for vaccines will be \$1.25.
- Based on the above, the Department estimates the annual revenue to the animal health records database from the new fees will be \$325,000 (45,000 health certificates x \$2, plus 188,000 rabies vaccines x \$1.25)
- A maximum of 2.5 existing full-time staff would be committed to this work. Any work beyond those resources would not get done without additional resources.
- Collection of all fees will be electronic, as part of the database functionality.
- The Department assumes the intent is for electronic submission of all files directly into the database since there are no new positions included for data entry or record maintenance and there is no requirement for the Department to retain hard copy records.
- Dog licensing and animal control will remain local responsibilities and the submission of rabies vaccines to the health records database is intended to improve efficiency of the process by allowing town clerks to access the records for animals in their town.
- Based on discussions with possible vendors, the database would cost between \$675,000 and \$1,000,000 for the initial purchase and \$300,000 for annual maintenance. Due to the time required for a public RFP process, approvals of the Department of Information Technology, the Department of Justice, the Governor and Executive Council, and the actual development work, the Department assumes the earliest implementation could occur would be July 1, 2023.
- Based on communications with the Division of Vital Records, the Department assumes a minimum of one full-time project manager with IT experience will be needed to oversee design and implementation of the animal health certificate database.

The section also provides that any person who knowingly accesses, alters, destroys, or discloses program information except as authorized in this subdivision or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony.

There is no method to determine how many charges would be brought as a result of the changes contained in this section to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2021	FY 2022
Simple Criminal Case	\$309	\$309
Routine Criminal Felony Case	\$494	\$494
Appeals	Varies	Varies

It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.		
Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
Department of Corrections		
FY 2020 Average Cost of Incarcerating an Individual	\$47,691	\$47,691
FY 2020 Annual Marginal Cost of a General Population Inmate	\$6,407	\$6,407
FY 2020 Average Cost of Supervising an Individual on Parole/Probation	\$584	\$584
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department would likely absorb the cost within its existing budget. If the Department needs to prosecute significantly more cases or handle more appeals, then costs may increase by an indeterminable amount.

AGENCIES CONTACTED:

Departments of Agriculture, Markets and Food, Corrections and Justice, Judicial Council, Judicial Branch, and New Hampshire Association of Counties

PART III: Making an appropriation for affordable housing.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$5,000,000	\$5,000,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$5,000,000	\$5,000,000	\$0
Funding Source:	[X] General [] Education [] Highway [] Other-			

METHODOLOGY:

This section makes a general fund appropriation of \$5 million in FY 2022 and \$5 million in FY 2023 to the New Hampshire Housing Finance Authority for deposit into the affordable housing fund.

AGENCIES CONTACTED:

None

PART IV: Making an appropriation to the department of education for the purpose of funding air quality improvements in public school buildings.

FISCAL IMPACT: [X] State [] County [X] Local [] None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	Not to Exceed \$20M Over the Biennium	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	Indeterminable Increase (Not to Exceed \$20M Over the Biennium)	\$0
Funding Source:	[X] General [] Education [] Highway [] Other-			

LOCAL:

Revenue	\$0	\$0	Indeterminable Increase (Not to Exceed \$20M)	\$0
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section provides a general fund appropriation of \$20,000,000 to the Department of Education for the purpose of providing grants to public school districts for testing, equipment purchases, and installation of heating, ventilation, and air conditioning upgrades and air

quality improvement. Since this section is effective July 1, 2022, all grants would be paid in FY 2023. Any unexpended portion of the appropriation as of June 30, 2023, would lapse to the general fund.

AGENCIES CONTACTED:

Department of Education

PART V: Crediting excess funds in the investor education fund to the FRM victim's fund.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other- FRM Victims' Recovery Fund			

METHODOLOGY:

This section requires that a certain amount of excess money from the investor education fund be deposited in the FRM Victims' Recovery Fund instead of the State General Fund. The Bureau of Securities Regulation indicates this bill would require up to \$500,000 of the amount in excess of \$725,000 from the Investor Education Fund to be deposited in the FRM Victims' Recovery Fund. Under current law, amounts in excess of \$725,000 are deposited in the State General Fund. The Bureau indicates the excess has exceeded \$500,000 for the last three years but notes there is no guarantee this would be the case in any given fiscal year. The fiscal impact of this section of the bill will be a decrease of up to \$500,000 in State General Fund revenue and an increase of up to \$500,000 in FRM Victims' Recovery Fund revenue for FY 2021-FY 2024.

AGENCIES CONTACTED:

Department of State, Bureau of Securities Regulation

PART VI: Relative to adequacy payments for home-schooled students.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	[] General [X] Education [] Highway [] Other-			

LOCAL:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section expands eligibility for Adequacy Aid to all grade levels (kindergarten-grade 12) from the current grades 9-12 for home-schooled students taking academic classes. The Department of Education does not have information on attendance for kindergarten-grade 8 taking classes and cannot estimate a fiscal impact on FY21 Adequacy Aid, state expenditures or local revenue. The earliest date to implement this section would be for FY22 Adequacy Aid.

AGENCIES CONTACTED:

Department of Education

PART VII: Making an appropriation to the department of environmental services for the purpose of funding public water system projects.

FISCAL IMPACT: [X] State [X] County [X] Local [] None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$500,000	\$500,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	[X] General [] Education [] Highway [] Other-			

COUNTY:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

LOCAL:	FY 2021	FY 2022	FY 2023	FY 2024
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This section makes nonlapsing appropriations to the Department of Environmental Services for the purpose of funding public water system projects under RSA 486-A. The Department of Environmental Services states the bill would fund new grants to public water systems under RSA 486-A for the first time in over a decade. The Department currently has no staff, forms, databases or internal processes for administering grants under RSA 486-A for public water systems. The Department assumes it will need an additional part-time Environmentalist IV position to administer the program. The estimated cost for this half-time position would be \$57,500 in FY 2022 and \$55,500 in FY 2023 including benefits, office space and other operating expenses. RSA 486-A provides State contributions of 20 percent of the annual amortization charges, (principal and interest) for construction projects undertaken to comply with the EPA rules or rules of the Department adopted to implement the federal Safe Drinking Water Act amendments of 1986. The State may pay up to 25 percent of the eligible water supply land protection costs. The Department assumes an annual amount of \$500k available to payback a portion of loans over 10-30 years would provide a meaningful impact for a large number of water systems. If the program instead issued lump sum grants, the \$500k annual appropriation would fund a limited number of grants each year. Because grants may support projects that are bonded or provide lump sum payments for non-bonded projects, it is difficult for the Department to determine the amount of annual expenditures.

The Department reports it may be unlikely that additional projects would pursue funding to achieve compliance with the surface water quality rule at this time as water systems in NH currently comply with the water treatment rules of the EPA.

AGENCIES CONTACTED:

Department of Environmental Services

PART VIII: Making an appropriation to the department of environmental services for funding eligible wastewater projects.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$5,735,248	\$6,919,115	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$5,735,248	\$6,919,115	\$6,596,985
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other-

LOCAL:

Revenue	\$0	\$5,735,248	\$6,919,115	\$6,596,985
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This section makes appropriations to the Department of Environmental Services for the purpose of funding eligible wastewater projects under RSA 486.

The Department of Environmental Services indicates the fiscal year expenditures above are equal to the principal and interest for State Aid Grant projects calculated using the standard Clean Water State Revolving Fund 20-year loan amortization with equal principal, at the current rate of 2.0% during the repayment term. The project amounts include a 20% contingency to allow for project cost increases, variances in State Aid eligibility and/or projects with financing other than the standard loan amortization (such as; reserve funds, alternate rates or amortization structures). The principle and interest payments over the 20-year loan amortization period are estimated to be \$115.3 million.

AGENCIES CONTACTED:

Department of Environmental Services