

New Hampshire Coronavirus Tracker: GOFERR and Coronavirus Update -4.15.20

GOFERR Update

New Hampshire Governor Chris Sununu announced the formation of a new office within his cabinet, the Office for Emergency Relief and Recovery ("GOFERR"). It is charged with the investment and oversight of COVID19 relief and stimulus funds provided to New Hampshire by the federal government. The office will manage the accounting, auditing, legal, and IT requirements surrounding these investments and will ensure transparency and accountability metrics to the citizens of New Hampshire for all relief and stimulus efforts.

The office itself, and the position of its Director, will be critical in overseeing the use of CARES Act funds as well as other COVID-19 relief. With the formation of this new office, Governor Sununu also announced the selection of New Hampshire Commissioner of Banks Gerry Little as its new Director.

Attached is a summary provided by Dave Collins, Association Retained Lobbyist, of today's first meeting, held remotely, of GOFERR's Legislative Advisory Board.

Coronavirus Local Update

Also attached is a local update of coronavirus-related activities, including a timeline of Executive Orders issued by Governor Chris Sununu to date.

The Association hopes that this information is helpful. Please send any questions or comments to govaff-reg@ccua.org.



New Hampshire COVID-19 Update, April 15th, 2020:

GOFERR MEETING: The Legislative Advisory Board of the Governor's Office For Emergency Relief and Recovery (GOFERR) held its first full business meeting this afternoon via audio connection. Although Democratic members of the advisory board disagree with Republican Governor Chris Sununu on the overall authority of GOFERR to accept and distribute federal CARES (Coronavirus Aid Relief and Economic Security) Act funding, today's meeting went ahead as scheduled. The Hillsborough County Superior Court will hold a hearing Friday on the legislative leadership's legal challenge to the authority the Governor granted to GOFERR.

At today's meeting, the legislative board heard presentations from more than half a dozen state agencies relative to the virus's impacts on the agencies and their actions and responses to the crisis.

Highlights of the meeting:

- The board asked Governor Sununu to provide a summary of the funds he has approved thus far for unemployment and health and human services uses. The Governor will provide the information for the next meeting.
- The Department of Safety reported that its operations are continuing as per its mission, and that they are hopeful Federal Emergency Management Agency (FEMA) and CARES Act funding will cover their expenses.
- The Department of Health and Human Services gave a wide-ranging presentation that included notice that literally all providers associated with the agency have been affected. DHHS reported that hospitals and nursing homes have borne the brunt of the pandemic, with hospitals reporting losses in the area of \$100 million from canceled elective surgeries.
- The Department of Employment Security reported that they have paid about 75% of unemployment claims, with the remainder in the works. The department said the additional \$600 in benefits that was granted will be paid by way of 0% federal loans, not through CARES Act funding.
- The Department of Education said on-line learning has generally gone well, and the department is working on adequacy measurement and college sports eligibility issues.
- The Department of Corrections said it has no confirmed Coronavirus cases within the prison population, and the department continues to work to prevent an outbreak.
- The Department of Business and Economic Affairs reported that more than 6,000 businesses have registered with them for updates. BEA said the Hospitality and Tourism industries are at a dead stop, and healthcare and manufacturing are facing unprecedented difficulties as well.
- The Department of Transportation said it is continuing to run normally, but that it may have to come to the state for funding if federal funds are not made available to cover some expenditures.



FRIDAY: The Legislative Advisory Board is scheduled to meet again at 10 a.m. to hear from the mayors of Manchester and Nashua, the NH Municipal Association and representatives of county nursing homes and various other departments within the state's ten counties. As noted above, the courts will also be considering the legislative leadership lawsuit.

NEW ADVISORY BOARD: In an executive order issued earlier today, the Governor created the GOFERR Stakeholder Advisory Board, comprised mainly of private sector representatives. The members are William Ardinger of the Rath Young and Pignatelli law firm; Dean Christon, executive director of the Housing Finance Authority; Jim Jalbert of C & J Trailways; Al Letizio of the Wholesale Food Industry; Donnalee Lozeau, CEO of the Southern NH Community Action Program and former Nashua mayor; Scott Mason, owner of Northwind Farms; Michelle McEwen, President and CEO of Speare Memorial Hospital; Nancy Merrill, Director of Planning and Development, City of Claremont, and Ben Wilcox, President and General Manager of Cranmore Mountain Resort. That group will hold its first meeting tomorrow, April 16th, at 1 p.m.



New Hampshire's COVID-19 Response

NEW HAMPSHIRE COVID-19 WEEK FIVE UPDATE:

FEDERAL FUNDS: New Hampshire stands to get about \$1.25 billion from the federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding approved by Congress and signed by the President. The funds are expected to be received by about April 24th and are designated specifically for COVID-19 crisis relief. However, the details of where the funds will be targeted and how they will be expended are still to be decided.

LEGISLATIVE ACTION: The legislature's Joint Fiscal Committee will hold a special session on Monday, April 20th, to hear a briefing from the Legislative Budget Assistant on the CARES Act funding and permitted uses of those funds.

Below is the latest COVID-19 update and summary of the Governor's recent actions:

New Hampshire declared a State of Emergency on March 13th

- On March 13th, Governor Chris Sununu issued [Executive Order 2020-004](#) which declared a State of Emergency in New Hampshire. Declaring a state of emergency allows the Governor access to additional powers and resources to protect New Hampshire.
- On April 3rd, Governor Sununu issued [Executive Order 2020-005](#) which extends the state of emergency for an additional 21 days.
- A declared state of Emergency may only continue for 21 days unless the Governor extends it through another Executive Order.
- On April 3rd, New Hampshire's request was approved for federal disaster declaration. The declaration makes the state and municipalities eligible for 75% federal reimbursement for approved costs associated with the Covid-19 response.
- More information of the duties and powers authorized under a State of Emergency can be found here: <http://www.gencourt.state.nh.us/rsa/html/l/4/4-45.htm>

What steps has the government taken in New Hampshire?

- In the days following the declaration of a state of emergency, Governor Sununu has announced thirty emergency orders. *Click the order to be directed to the official language.*
Orders include:

[Emergency Order #1](#) (Issued on 03/15/2020)

- Closes all public K-12 school districts through April 3rd and lays the groundwork for remote instruction programs

[Emergency Order #2](#) (Issued on 03/16/2020)

As of: 04/15/2020

- Prohibits any event or gathering of more than 50 people.
- Requires all restaurants to transition to take-out only and prohibits on site consumption of food and beverages

[Emergency Order #3](#) (Issued on 03/17/2020)

- Prohibits utilities from ordering any disconnects of service during the state of emergency.
- Requires that utilities provide repayment opportunities following the end of the state of emergency that are free from any additional fees or penalties.

[Emergency Order #4](#) (Issued on 03/17/2020)

- Prohibits landlords from initiating any eviction proceedings during the state of emergency.
- Prohibits any judicial or non-judicial foreclosure actions during the state of emergency.

[Emergency Order #5](#) (Issued on 03/17/2020)

- Temporarily removes the waiting period for access to unemployment benefits.
- Expands access to unemployment benefits for employees and self-employed individuals who are out of work due to COVID-19.

[Emergency Order #6](#) (Issued on 03/18/2020)

- Allows all restaurants, diners, bars, etc. that hold both a restaurant license and an on-premise liquor license will be allowed to offer delivery of beer and wine with a food order.

[Emergency Order #7](#) (Issued on 03/18/2020)

- Relaxes some rules surrounding educational facility data governance plans for implementation of remote learning tools. Make other necessary changes to allow quick build up of remote education tools.

[Emergency Order #8](#) (Issued on 03/18/2020)

- Allows healthcare providers to offer any service necessary by means of telehealth.
- Sets requirements for carrier coverage and reimbursement rates for providers.

[Emergency Order #9](#) (Issued on 03/19/2020)

- Establishes a \$50 Million fund to ensure hospitals and other healthcare facilities remain able to operate during the crisis.

[Emergency Order #10](#) (Issued on 03/21/2020)

- Requiring all sellers of groceries to temporarily transition to use of single use paper or plastic bags.

[Emergency Order #11](#) (Issued on 03/23/2020)

- Temporarily grants authority and sets guidelines for remote notarization.

[Emergency Order #12](#) (Issued on 03/23/2020)

- Increases the flexibility of local and state boards to hold meetings by electronic means. Waives certain "public access" requirements under RSA 91A.

[Emergency Order #13](#) (Issued on 03/23/2020)

- Temporarily authorizes pharmacies and pharmacists to compound and sell hand sanitizer over the counter and allows pharmacy technicians to perform non-dispensing tasks remotely.

[Emergency Order #14](#) (Issued on 03/23/2020)

- Temporarily authorizes out of state pharmacies to act as licensed mail-order facilities within the State of New Hampshire.

[Emergency Order #15](#) (Issued on 03/23/2020)

- Temporarily authorizes out of state medical providers to provide medically necessary services through telehealth.

[Emergency Order #16](#) (Issued on 03/23/2020)

- Amends Emergency order #2 by prohibiting any event or gathering of more than 10 people.

[Emergency Order #17](#) (Issued on 03/26/2020)

- "Stay at Home Order"

As of: 04/15/2020

- Require all non-essential businesses to close and directs the public to stay home as much as possible.
- Information on businesses considered essential can be found [HERE](#)

[Emergency Order 18](#) (Issued on 03/27/2020)

- Makes multiple changes to the healthcare licensing laws.
- Authorizes the Executive Director of the DMV to take all steps necessary to limit in person services at DMV location.
- Authorizes and sets guidelines for online driver's education courses.
- Suspends any part of the NH Administrative Rules regarding that the Federal Motor Carrier Safety Act that has been waived or suspended by the federal government.

[Emergency Order 19](#) (Issued on 03/27/2020)

- Extends the closure of K-12 schools and remote learning through May 4th.

[Emergency Order #20](#) (Issued on 03/30/2020)

- Provides a temporary wage increase of 10% for state employees working in liquor stores for the duration of the State of Emergency

[Emergency Order #21](#) (Issued on 04/01/2020)

- Appropriates \$600,000 in funding for an increase in services for victims of domestic and sexual violence. The funds will be used to build up services including the victim call center as well as building a hotel voucher program for victims than cannot find vacancy in any of the shelters.

[Emergency Order #22](#) (Issued on 04/01/2020)

- Authorizes up to \$2 million dollars for additional services at DCYF including
 - o Moving all Family Violence Prevention Specialists from part time employees to full time employees.
 - o Hiring three additional license drug and alcohol counselors.
 - o Increasing the age cap for the Strength to Succeed Program from ages 0-6 to 0-10.
 - o Establishing a Family Support Resiliency Hotline
 - o Provide technology support for families involved with DCYF to Facilitate electronic visits as a result of social distancing.

[Emergency Order #23](#) (Issued on 04/01/2020)

- Provides continued guidance for municipal and local government bodies on how to continue to operate under the current situation.

[Emergency Order #24](#) (Issued on 04/03/2020)

- Makes modification to Emergency Order #4 by exempting:
 - o Eviction proceedings initiated against an individual for violations of a lease or violations of law which result in either
 - substantial damage to the premises by the individual or members of the individual's household, or
 - a substantial adverse impact on the health or safety of the other persons residing on the premises.
 - o Eviction proceedings initiated against an individual in cases of the individual's abandonment of their rental unit or space
- Clarifies that nothing in Emergency Order #4 relieves renters from having to pay rent.
- Clarifies that any foreclosure process begun prior to March 16th, 2020 is exempt from this order.

[Emergency Order #25](#) (Issued on 04/03/2020)

- Offers cities and towns the option of waiving any interest and penalties for the late payment of property taxes. This is not a mandate but allows cities and towns more flexibility if they choose to offer it.

As of: 04/15/2020

Emergency Order #26 (Issued on 04/04/2020)

- Extends Emergency Orders 2 (No groups more than 50 People), 6 (Alcohol Delivery) and 16 (No Groups more than 10 people) through Monday, May 4, 2020.

Emergency Order #27 (Issued on 04/06/2020)

- Requires that all Hotels and Short-term rental operators stop accepting new bookings through May 4th.
- Online bookings must shut down and a prominent notice must be placed on their websites stating the status of bookings in NH.
- Lodging partners can continue to provide lodging to essential business workers and to vulnerable populations by phone reservations.
- The Division of Public Health and State/Local Police are authorized to enforce the order.

Emergency Order 28 (Issued on 04/07/2020)

- Directs State, local, and private sector partners to work together to do the following:
 - o Identify an isolation site(s) for COVID-19 positive individuals or those who have symptoms and who are experiencing homelessness.
 - o Create a plan and partner with local communities to assist shelters to reduce the numbers of individuals in shelters to provide adequate social distancing in an effort to stop the spread of COVID-19.
 - o Provide non-congregate temporary housing for first responders and health care workers who are at reasonable risk of having been exposed to COVID-19 and cannot return to their residence because of the risk of infecting other household members and other high-risk individuals.

Emergency Order 29 (Issued on 04/09/2020)

- Affects requirements for both the regulated community and NHDES programs to comply with deadlines associated with in the likelihood of increased adverse public health impacts as a result of encouraging otherwise unnecessary in-person contact, travel, or similar activities.
- Makes Changes inside the Charitable Trusts Unit Including:
 - o All acquisition transactions involving health care charitable trusts are stayed through the end of the state of emergency.
 - o Extends the reporting requirements of Paid solicitors and fundraising campaigns by 30 days.

Emergency Order 30 (Issued on 04/09/2020)

- Provides clarity for healthcare facilities and the use of Alternative Care Sites during the public health emergency
- Ensures that insurance carriers are providing adequate reimbursement for services provided in Alternative Care Sites.
- Authorizes the Department of Health and Human Services as well as the Insurance Department to make changes to their regulations in order to comply with this order

Governor's Office for Emergency Relief and Recovery Established on April 14th

Executive Order 2020-06 (Issued on 04/14/2020)

- Establishes the legal framework for the Governor's Office for Emergency Relief and Recovery (GOFERR). This office will help New Hampshire with Identifying areas where distribution of funds received un the CARES act is needed.
- Authorizes the Director of GOFERR to add a deputy director and other staff as needed to fulfill the mission of the office. When at all possible staffing at GOFERR should be made up of temporary assignments from other state agencies.

As of: 04/15/2020

- Sets up two boards to provide insight and recommendations on how the funds should be disbursed. One board will be made up of legislators and one board will be made up of impacted stakeholders.
 - o Advisory boards do not limit the Governor from immediately expending funds as needed.
- Established Legislative Advisory Board Made up of:
 - o Senate President Donna Soucy
 - o Senate Minority Leader Chuck Morse
 - o Senate Finance Chair Lou D'Allesandro
 - o Senator John Reagan
 - o Speaker of the House Steve Shurtleff
 - o House Minority Leader Dick Hinch
 - o House Finance Chair Mary Jane Wallner
 - o Representative Erin Hennessey

What is happening at the State Legislature?

- Out of an abundance of caution, the General Court has suspended all legislative activities through May 4th. Both the NH Senate and the NH House of Representatives have adopted changes in their rules to allow extensions of legislative deadlines that will be affected by the closure.
- The State House Complex is closed to all legislators, legislative staff and visitors.

Where can I find additional resource provided by the State?

- The State has created an online portal for access to all the most up to date resources and information regarding COVID-19 in New Hampshire.
- The Department of Business and Economic Affairs has also created a portal to connect affected businesses with available resources.

New Hampshire COVID-19 Response Website: <https://www.nh.gov/covid19/>

Resources for Businesses: <https://www.nheconomy.com/covid19>

For more questions please contact a member of the RYP Granite Strategies Team.