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Contains: Additional Reports and Amendments for Tuesday, June 29 and Governor's Veto Message on HB 527

HOUSE CALENDAR

TUESDAY, JUNE 29

SPECIAL ORDERS

(sHOULD HAVE APPEARED IN hOUSE CALENDAR 68)

FINANCE

HB 707-FN, relative to the family division of the courts. RE-REFER TO COMMITTEE

Rep. Jeffrey C. MacGillivray for Finance: This bill would expand the family court system to add Carroll and Belknap counties to the existing two counties. The court believes that expanding the family court system will add considerable costs to the judicial branch. The committee finds many of the features of the family court system to be desirable, and therefore would like to re-refer the bill in order to thoroughly examine these suggested additional costs to see how they can be minimized Vote 14-2.

SB 40, relative to the health care fund. INEXPEDIENT TO LEGISLATE

Rep. Robert E. Clegg for Finance: This bill would require separate legislation and a 2/3 vote of the House and Senate before any transfers of funds from the Health Care Fund could occur. It would also require the fund to be at the same level at the end of a biennium as it was at the beginning. The Committee felt the cause noble but realized that the statute could be by-passed and funds could still be transferred through "notwithstanding any law to the contrary" language. As a result, it appears to the Committee that the bill would not serve its intended purpose. Vote 11-5.

TUESDAY, JUNE 29

CONSENT CALENDAR – PART III

FINANCE

SB 11-FN, relative to the filing fee for securities in a combined prospectus offered for sale in New Hampshire by a mutual fund. RE-REFER TO COMMITTEE

Rep. Steve Vaillancourt for Finance: With the final grains of sand passing through the upper portion of the hourglass, Finance did not have the necessary time to devote to this bill which deals with changes in how mutual funds pay filing fees to the state. The fiscal note was far from helpful. It revealed that the impact of this bill could range from a loss of \$690,000 a year to a gain of \$310,000. By re-referring this bill, Finance intends to get a better handle on this data and then decide whether it is in the best fiscal interests of the state. Vote 17-0.

SB 114, relative to health care carrier disclosure of third party liability. OUGHT TO PASS

Rep. Robert K. Boyce for Finance: The Finance Committee agrees with the Commerce Committee that this bill simplifies the process the Department of Health and Human Services goes through to ensure all commercial or third party insurance liability is paid prior to the state Medicaid system picking up those costs. The sharing of information between the Insurance Department and HHS will not violate any confidentiality rights. There is a fiscal note decreasing expenditures by over \$1,000,000; the state would retain at least half of these savings. Vote 17-0.

SB 186-FN, relative to additional cost of living adjustments and increased minimum allowances for certain retired group II members, and relative to requiring spousal acknowledgement of a member's election of an optional retirement allowance. RE-REFER TO COMMITTEE

Rep. Charles L. Vaughn for Finance: This bill increases minimum allowances from \$5,200 to \$7,500 annually for retired group II members, requires a spousal acknowledgement of members' election of optional retirement allowance, and repeals the reduction by a social security offset of a minimum service retirement. Currently, the police special fund has a balance of \$62.5 million and the fire \$45.5 million. These figures include the July COLAs. This legislation further depletes the special funds by \$3.8 million and \$3.6 million respectively. Due to time constraints, and lack of a 5-year actuarial table demonstrating losses attributable to the repeal of a social security offset, the Finance Committee recommends Re-refer. Vote 16-1.

SB 222-FN-A-L, relative to guarantee of loans to local development organizations. RE-REFER TO COMMITTEE

Rep. Susan W. Almy for Finance: The committee, having just received this bill, no longer has enough time to collect the information needed to pass it, and asks for Re-refer. Vote 18-0.

TUESDAY, JUNE 29

REGULAR CALENDAR – PART III

HB 235-FN-A, increasing the exemption amount under the interest and dividends tax. RE-REFER TO COMMITTEE

Rep. Bruce F. Hunter for Finance: This bill would increase the exemptions under the interest and dividends tax. The Finance Committee found that a comprehensive review of this tax is warranted. Members heard many suggestions for modifying this tax, including increased exemptions, increased exemptions for people over 65, and increased exemptions for those individuals with limited total income. **The Department of Revenue Administration reported that this bill would decrease state revenue by \$10.2 million in FY 2000 and each year thereafter.** The committee will spend the next several months looking at various proposals to limit this tax and to insure that any exemption structure is fairly constructed. Vote 16-0.

HB 615-FN-A, establishing a brain and spinal cord injury trust fund and continually appropriating a special fund and establishing a registry for brain and spinal cord injuries. OUGHT TO PASS WITH AMENDMENT

Rep. O. Alan Thulander for Finance: The committee spent considerable time on this bill trying to find an acceptable method of funding this trust fund that would be adequate and sustainable. We were unable to do so. We therefore eliminated the funding portion so that the registry could proceed and the trust fund be taken up when more information is available. The registry should provide the Department of Health and Human Services and the legislature with the data to help determine the nature and cost of future services to people with brain and spinal cord injuries. Vote 17-0.

HB 709-FN-A-L, relative to the railroad tax. OUGHT TO PASS

Rep. Jean R. Wallin for Finance: This bill clarifies the tax treatment of railroad companies that operate on state-owned railroad corridors and provides a share of the revenues from these operations to the twenty-eight towns and cities on the four railroad corridors. Cities and towns along state-leased corridors will share approximately \$25,000, and cities and towns along other railroad corridors will share approximately \$155,000. The state general fund will receive approximately \$311,000 from the railroad tax, a decrease of approximately \$140,000. The remaining revenue (approximately \$293,000) is paid to a special railroad fund (RSA 228:68-69 which provides for the maintenance and repair of the railroad lines. Vote 14-2.

SB 195-FN-A, appropriating funds for sludge testing. OUGHT TO PASS WITH AMENDMENT

Rep. Susan W. Almy for Finance: The Department of Environmental Services, under citizen pressure to act and against the advice of the Joint Administrative Committee on Legislative Rules, put rules into effect in March 1999 requiring that all municipalities with wastewater treatment plants whose products are spread as sludge or compost undergo re-certification. This re-certification entails \$10,000 of testing the first year and \$2,500 every year thereafter. The municipalities raised this as a 28-a issue. The Senate voted to approve the \$500,000 that the first year of testing would entail. The House Finance amendment drops this cost to \$210,000, after an agreement from the department to waive the testing for those municipalities whose treatment lagoons are only emptied once in 10-15 years. There are seven municipal plants that regularly land-apply sludge and ten that turn it into compost. Next year the department will bring in a bill through which this issue can be properly debated by the legislature. The \$210,000 cost is to the FY 99 general fund from department wastewater funds that would otherwise lapse. Vote 17-0.

GOVERNOR'S VETO MESSAGE ON HB 527

June 25, 1999

To the Honorable Members of the General Court:

I have this day vetoed House Bill 527, An Act relative to the duties of the public utilities commission.

Section 2 of H.B. 527 repeals the existing state ethics law prohibiting the members of the Public Utilities Commission and senior staff of the commission from future employment with regulated utilities for two years and replaces it with a less rigorous restriction that covers fewer commission employees.

Under existing state law, "[n]o commissioner, executive director, finance director, general counsel, ombudsman or chief engineer of the commission shall accept any employment with any utility under the control of the commission until 2 years after he shall become separated from the commission." RSA 363:12-b.

Section 2 of H.B. 527 would replace that law with the following less restrictive provision: "For one year after leaving the employment of the commission, the commissioners and general counsel shall not appear as a lobbyist or as an advocate in any matter over which the commissioner or general counsel had direct responsibility while with the commission."

It is incumbent on public servants at all times to avoid both real and perceived conflicts between their personal financial interests and the interests of the people they serve. To make an ethics law covering the Public Utilities Commission less rigorous, particularly now, when two industries regulated by the Public Utilities Commission - the electric industry and the telecommunications industry - are currently undergoing significant structural changes that have immense financial implications, threatens to diminish people's faith in the integrity of government.

I would support the enactment into law of the remaining sections of H.B. 527 and have so advised the sponsor of this legislation, who has indicated his support for this veto.

Respectfully submitted,

Jeanne Shaheen

Governor

house bills amended by the senate

HB 25-FN-A, making appropriations for capital improvements. (House Nonconcurred; C-of-C 6/23/99)

HB 56, establishing a procedure for reinstating corporate charters that have been expired for more than 3 years. (House Concurred 6/16/99)

HB 67, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses. (House Nonconcurrent; C-of-C 5/13/99)

HB 69, relative to the definition of employee under certain labor laws and relative to overtime pay for hourly employees. (House Nonconcurrent; C-of-C 6/16/99)

HB 82, establishing a committee to study financial arrangements among hospitals, physicians, and insurance companies. (House Concurred 6/16/99)

HB 109-FN-A-L, establishing a flat rate education income tax and a statewide education property tax to fund public education and making an appropriation therefor. (House Nonconcurrent 3/30/99)

HB 112-FN-A, relative to state taxes and other sources of revenue for funding an adequate education; authorizing electronic games of chance at racetracks, grand hotels, and resort hotels; relative to establishing the cost of an adequate education, and relative to creating a commission to study the methodology used in establishing the cost of an adequate education, and making an appropriation therefor. (House Nonconcurrent 4/1/99)

HB 117-FN-A-L, establishing a uniform education property tax and a utility property tax, increasing the business profit and real estate transfer taxes, and including other sources of revenue to provide funding for an adequate public education and making an appropriation therefor. (House Nonconcurrent; C-of-C 4/22/99)

HB 204-FN, relative to driving after license revocation or suspension. (House Concurred 6/9/99)

HB 206, relative to restrooms in restaurants. (House Concurred 5/20/99)

HB 207-FN-A, directing the office of state planning to conduct a study of the effects of sprawl in the state and making an appropriation therefor. (House Concurred 4/22/99)

HB 210, reinstating the corporate charter of C. A. B. Real Estate Inc. (House Concurred 4/29/99)

HB 213, relative to voting by prisoners. (SJ 25)

HB 215, placing restrictions on name changes for certain felons. (House Concurred 6/9/99)

HB 216, relative to release conditions pending trial for defendants in domestic violence, stalking, or protective order violation cases. (SJ 25)

HB 240, prohibiting the reintroduction of wolf populations to the state of New Hampshire. (House Concurred 5/13/99)

HB 249, relative to the membership of the rivers management advisory committee. (House Concurred 4/14/99)

HB 252, establishing a committee to study all aspects of the condominium act established under RSA 356-B. (House Nonconcurrent; C-of-C 6/23/99)

HB 265, relative to the student trustees on the New Hampshire board of trustees. (House Nonconcurrent; C-of-C 6/23/99)

HB 272-FN, relative to the use of laser pointing devices. (SJ 23)

HB 291, establishing a study committee for seed sterilization technology or "terminator" technology. (House Nonconcurrent; C-of-C 6/23/99)

HB 313-FN, relative to the regulation of the practice of optometry. (House Concurred 6/9/99)

HB 325, prohibiting "cramming" in telecommunications billing. (House Concurred 6/9/99)

HB 333, relative to contracts between participating providers and managed care entities. (House Nonconcurrent; C-of-C 6/23/99)

HB 345-FN, relative to harassment via the computer. (House Concurred 6/9/99)

HB 356, relative to the issuance of summons and notice in CHINS petitions. (House Concurred 6/22/99)

HB 358, relative to the term of office for members of the state board of education. (House Concurred 4/29/99)

HB 367, relative to requesting certifying scientists to appear at DWI hearings. (SJ 23)

HB 369, establishing a committee on educational programs on tobacco use for minors. (House Nonconcurrent; C-of-C 6/23/99)

HB 374, relative to the order of names on presidential primary election ballots. (House Concurred 6/9/99)

HB 399, allowing the secretary of state to have flexibility in moving the date of New Hampshire's presidential primary and changing the filing period for declarations of candidacy for candidates for president and vice-president at the presidential primary. (SJ 25)

HB 408, relative to drug formularies under managed care entries. (House Nonconcurrent; C-of-C 6/23/99)

HB 411, requiring voters to present identification. (SJ 25)

HB 428, relative to school administrative units. (House Nonconcurrent; C-of-C 6/9/99)

HB 431, establishing a committee to study methods and processes necessary to retain the traditional uses of White Mountain National Forest land, the impact of any change in designation, and relative to promoting the continual multiple use management of such land. (House Concurred 6/9/99)

HB 442, relative to charitable gift annuities. (House Concurred 5/13/99)

HB 444, relative to establishing a study committee to review reestablishing passenger rail service on the Eastern Line between Newburyport, Massachusetts and Kittery, Maine. (House Concurred 6/9/99)

HB 456, establishing a committee to study issues relating to the deaf community in New Hampshire. (House Concurred 6/9/99)

HB 463, relative to local regulation of junk yards and altering the definition of federal aid primary system for purposes of the laws regarding highway regulations, protection and control regulations. (House Nonconcurrent; Cof C 6/22/99)

HB 473, establishing a committee to study the non-group health insurance market. (House Concurred 6/22/99)

HB 491, relative to qualifying examinations for individuals seeking driver's licenses, and driver education course requirements. (House Nonconcurrent; C-of-C 6/9/99)

HB 492-FN-A-L, reducing the state bond guarantee limit for wastewater projects. (SJ 21)

HB 513, relative to approved permissible fireworks. (House Concurred 5/13/99)

HB 519, requiring law enforcement agencies to adopt written policies regarding emergency responses and vehicular pursuits. (House Concurred 6/16/99)

HB 527, relative to the duties of the public utilities commission. (House Concurred 6/9/99)

HB 532, establishing a commission to study early childhood education. (House Concurred 6/16/99)

HB 541, establishing a committee to study the upgrade of Routes 11 and 140. (House Concurred 6/9/99)

HB 562, relative to the date of decision for appeals of zoning matters. (House Nonconcurrent; C-of-C 6/23/99)

HB 566, relative to the supervision of the driver education program. (House Concurred 6/9/99)

HB 596, making technical corrections to certain laws administered by the department of revenue administration and extending the temporary tax rate of the communications services tax through the biennium ending June 30, 2001. (SJ 24)

HB 604, relative to filling a vacancy in the office of county commissioner. (House Concurred 6/16/99)

HB 658, relative to certification, registration, and insurance requirements for recovery agents who assist bail agents and sureties. (SJ 25)

HB 664, establishing a study committee on rights of ownership to cemetery plots. (House Nonconcurrent; C-of-C 6/9/99)

HB 667, relative to the quorum required for sessions of the supreme court. (House Concurred 6/16/99)

HB 675-FN, extending the applicability of postsecondary educational assistance for New Hampshire national guard members and requiring an annual reporting from state-supported postsecondary institutions. (House Concurred 6/23/99)

HB 687, establishing the criminal offense of identity fraud. (SJ 25)

HB 689-FN, establishing a committee to study campaign contributions and expenditures. (House Nonconcurrent; C-of-C 6/9/99)

HB 714-FN, changing the potential penalties for certain acts of solicitation and conspiracy to commit murder and attempted murder to life in prison. (House Concurred 6/9/99)

HB 739, eliminating certain restrictions on the number of days bingo volunteers may serve. (SJ 23)

HB 741, relative to the ratio of apprentices to journeymen in trade or industry apprenticeship programs. (SJ 24)

HB 742, defining "domestic employee" for purposes of workers' compensation. (House Concurred 6/22/99)

HB 745-L, authorizing the town of Ashland to call a special meeting for the purpose of raising money to address a general fund deficit. (House Concurred 6/22/99)

HJR 2, urging that federal air pollution programs not punish early adopters of air pollution control technology. (House Concurred 6/23/99)

COMMITTEES OF CONFERENCE

HB 25-FN-A, making appropriations for capital improvements. (Reps. E. Smith, Chandler, Calawa and Vaughn)

HB 69, relative to the definition of employee under certain labor laws and relative to overtime pay for hourly employees. (Reps. Daniels, Gilman, Clegg and J. Kelley; Sens. Wheeler, J. King and Fraser)

HB 252, establishing a committee to study all aspects of the condominium act established under RSA 356-B. (Reps. Herman, Avery, McGough and T. Reardon)

HB 265, relative to the student trustees on the New Hampshire board of trustees. (Reps. Chandler, Hess, Kurk and Snyder)

HB 291, establishing a study committee for seed sterilization technology or "terminator" technology. (Reps. Babson, Chandler, Harmon and Melcher)

HB 333, relative to contracts between participating providers and managed care entities. (Reps. K. Herman, Hunt, Francoeur and Taylor)

HB 369, establishing a committee on educational programs on tobacco use for minors. (Reps. McGough, Langley, Francoeur and Garrish)

HB 408, relative to drug formularies under managed care entries. (Reps. Herman, Francoeur, McGough and Taylor)

HB 428, relative to school administrative units. (Reps. McKinley, Ward, Larrabee and C. Jean; Sens. Disnard, Johnson and J. King)

HB 463, relative to local regulation of junk yards and altering the definition of federal aid primary system for purposes of the laws regarding highway regulations, protection and control regulations. (Reps. Calawa, Leber, W. McCarty and Bouchard)

HB 491, relative to qualifying examinations for individuals seeking driver's licenses, and driver education course requirements. (Reps. Packard, Letourneau, LaPorte and Gleason; Sens. Gordon, Trombly and Roberge)

HB 562, relative to the date of decision for appeals of zoning matters. (Reps. Hess, Lockwood, Foster and Simon)

HB 664, establishing a study committee on rights of ownership to cemetery plots. (Reps. Patten, Griffin, Zerba and Rice; Sens. Trombly, Disnard and Roberge)

HB 689-FN, establishing a committee to study campaign contributions and expenditures. (Reps. Horton, F. Davis, Splaine and Clegg; Sens. McCarley, Wheeler and Krueger)

SB 30, relative to the cruelty to animals law. **REPORT FILED**

SB 47-FN, relative to compensation for time lost by fish and game conservation officers for injuries received in the line of duty, and restoring certain leave time for a conservation officer injured while on duty on August 19, 1997. (Sens. Disnard, Trombly and F. King; Reps. Dyer, Langer, Stickney and Reidy)

SB 70, changing the safe drinking water standard for MTBE. (Sens. Wheeler, Cohen and Russman; Reps. Bradley, Norelli, Maxfield and Densmore)

SB 101, relative to landlord-tenant obligations. (Sens. Trombly, Disnard and Russman; Reps. Bergin, P. Woods, J. Wall and Craig)

SB 124, establishing a committee to study the integration of technology at the state and municipal level. (Sens. D'Allesandro, McCarley and Klemm; Reps. Lynde, Guay, Maxfield and Bergeron)

SB 140, relative to ear and body piercing. (Sens. Wheeler, Squires and McCarley; Reps. Dalrymple, Manning, Seldin and Batula)

SB 204, establishing the New Hampshire excellence in higher endowment trust fund. (Sens. Larsen, Gordon and Cohen; Reps. Hoadley, Alger, P. Davis and Snyder)

TUESDAY, JUNE 29

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

1999-1856h

Floor Amendment to HB 2-FN-A

Proposed by Reps. Hager and Burling

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

1 Intent. The purpose of this bill is to make those changes to the general laws necessary to effectuate the intent of the operating budget, but which are prohibited from being included in the operating budget by Part II, Article 18-a of the New Hampshire Constitution.

2 Additional Revenues; Department of Health and Human Services. Notwithstanding any provision of the law to the contrary, the legislative fiscal committee and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues, in excess of or in addition to the budgeted amounts, from any source, which become available to the department. Such additional revenues shall be available to the department of health and human services to supplement funds in the following subcomponents: division of family assistance's food stamp administration, division for children, youth, and families' settlement program, division of family assistance's New Heights maintenance services, division for children, youth, and families' NH Bridges maintenance services, the office of program support, division of child support's New England Child Support Enforcement System maintenance services, and any other such subcomponent that requires deficit reduction or for which revenue has been specifically obtained.

3 Transfer of Funds by Division of Children, Youth, and Families, Department of Health and Human Services. Notwithstanding any other provision of law, the division for children, youth, and families, department of health and human services, may, with

approval of the fiscal committee and the governor and council, transfer in each of the fiscal years 2000 and 2001 up to \$200,000 in funds which would otherwise lapse to the salary adjustment fund from class 10, personal services permanent in components 05, 01, 03, 02, 01 and 05, 01, 03, 01 to class 91 training in component 05, 01, 03, 06, 00, to provide training for social workers and juvenile service officers.

4 Authority to Fill Unfunded Positions; Department of Health and Human Services. Notwithstanding any other provision of law, the commissioner of the department of health and human services may fill any authorized unfunded positions during the biennium ending June 30, 2001, provided that the total expenditures shall not exceed the amount appropriated for personal services, permanent and personal services, unclassified.

5 Transfer of Authority; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services may make transfers among any and all accounts and program appropriation units of the department of health and human services, with the exception of benefit appropriations which shall be limited to transfers between benefit appropriation accounts, as the commissioner shall deem necessary and appropriate to effect a reorganization of the department, address present or projected deficits, or respond to changes in federal laws, regulations, or programs and otherwise as necessary for the efficient management of the department. The commissioner may transfer not more than \$2,277,000 in general funds each year for the purpose of increasing salaries for direct care providers for persons with developmental and acquired disabilities. Applicable matching federal funds shall be accepted to the extent that they become available in accordance with section 2 of this act. The commissioner shall not execute a transfer without obtaining the approval of the legislative fiscal committee and the governor and council.

6 Department of Administrative Services; State Facility Energy Cost Reduction; Definitions; Energy Cost Saving Measure; Debt Service Extended. Amend RSA 21-I:19-b, I to read as follows:

I. "Energy cost saving measure" means any construction, improvement, repair, alteration, or betterment of any building or facility or any equipment, fixture, or furnishing to be added to or used in any building or facility that will be a cost effective energy-related project. This shall include any project that will lower energy or utility costs in connection with the operation or maintenance of such building or facility and will achieve energy cost savings sufficient to recover any project costs or incurred debt service within [7] 10 years from the date of project implementation.

7 Department of Administrative Services; State Facility Energy Cost Reduction; Energy Performance Contracting; Contract Period Extended. Amend RSA 21-I:19-d, II(d)-(f) to read as follows:

(d) The term of any energy performance contract entered into pursuant to this section shall not exceed [7] 10 years.

(e) Any contract entered into shall contain the following annual allocation dependency clause: "The continuation of this contract is contingent upon the appropriation of funds to fulfill the requirements of the contract by the applicable funding authority. If that authority fails to appropriate sufficient funds to provide for the continuation of the contract, the contract shall terminate on the last day of the fiscal year for which allocations were made."

(f) Any energy performance contract should require the contractor to include all energy efficiency improvement in selected buildings that are calculated to recover all costs within [7] 10 years at existing energy prices. The contract shall require that the public utility or energy services provider be repaid solely from energy cost savings and only to the extent of energy cost savings. Repayments shall be interest-free.

8 Appropriation; Office of Energy and Community Services. The sum of \$5,147 for the fiscal year ending June 30, 1999, is hereby appropriated to the governor's office of energy and community services for the purpose of satisfying disallowed federal reimbursed costs as observed and disclosed in a financial audit of the office. This appropriation shall be in addition to any other sums appropriated to the governor's office of energy and community services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Budget Surplus; Transfer to Education Trust Fund. Notwithstanding RSA 9:13-e, any general fund undesignated surplus for the fiscal year ending June 30, 1999 up to \$20,000,000 shall be transferred to the education trust fund established pursuant to RSA 198:39. Any general fund undesignated surplus in excess of \$20,000,000 shall be transferred according to RSA 9:13-e.

10 Addition to Personnel Group. Amend RSA 94:1-a by inserting in group N:

Warden, Northern New Hampshire Correctional Facility, department of corrections

11 Applicability of Salary Classifications. The warden of the Northern New Hampshire Correctional Facility (formerly the

Berlin prison facility) on the effective date of this act shall become the unclassified warden at step 4 in group N.

12 Pease Development Authority Bonds; Comprehensive Development Plan Required; Bond Guarantee Amount Reduced. Amend RSA 12-G:27-b, I to read as follows:

I. Notwithstanding any other provision of law and subject to approval by the fiscal committee of the general court of a comprehensive development plan for the former Pease Air Force Base prepared and submitted by the Pease development authority, the governor and council may award an unconditional state guarantee of the principal and interest thereon of bonds issued under this section. The full faith and credit of the state shall be pledged for any such guarantees of principal and interest, but the total amount of the principal of bonds guaranteed by the state under this section shall not exceed [~~\$60,000,000~~] **\$35,000,000**, plus interest. The comprehensive development plan shall include the designation and delineation of a research district within the bounds of the former Pease Air Force Base. The governor, with the advice and consent of the council, is authorized to draw [his] a warrant for such a sum out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest thereon of the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

.....

State Treasurer

13 Repeal. RSA 12-G:27-b, II, relative to state guarantee of bank financing for Pease development plan, is repealed.

14 Rehiring; Laid-Off State Employees. The provisions of 1990, 261:1, as amended by 1991, 4:10 and 355:103, relative to rehiring of laid-off state employees, shall apply to any person laid-off between July 1, 1999, and June 30, 2001, as a result of any state law, regardless of the funding source for the person's position. The head of each department or agency shall submit the names and classification of individuals laid-off from July 1, 1999, to June 30, 2001, to the director of the division of personnel within 10 days of the layoff.

15 Labor; Public Employee Labor Relations; Bargaining by State Employees; Joint Committee on Employee Relations; Order of Members Changed; Member Added. RSA 273-A:9, V(a) is repealed and reenacted to read as follows:

(a) The joint committee on employee relations shall include the following members:

- (1) Speaker of the house of representatives.
- (2) President of the senate.
- (3) Majority leader of the senate.
- (4) Majority leader of the house of representatives.
- (5) Minority leader of the senate.
- (6) Minority leader of the house of representatives.
- (7) Senate finance committee chairperson.
- (8) House of representatives finance committee chairperson.
- (9) Senate capital budget committee chairperson.
- (10) House of representatives public works and highways committee chairperson.
- (11) Senate ways and means committee chairperson.
- (12) House of representatives finance committee vice chairperson.
- (13) House of representatives labor, industrial, and rehabilitative services committee chairperson.

(14) House of representatives labor, industrial, and rehabilitative services committee ranking minority member.

(15) Senate insurance committee chairperson.

(16) Senate insurance committee vice chairperson.

16 New Subparagraphs; Labor; Public Employee Labor Relations; Bargaining by State Employees; Joint Committee on Employee Relations; Alternates. Amend RSA 273-A:9, V by inserting after subparagraph (d) the following new subparagraphs:

(e) The president of the senate may appoint one or more alternates to serve on the joint committee on employee relations in the event that a senate member is unable to attend.

(f) The speaker of the house of representatives may appoint one or more alternates to serve on the joint committee on employee relations in the event that a house member is unable to attend.

17 Feasibility Study; Mutual Use of Coast Guard Facilities. The department of safety, division of safety services, the New Hampshire state port authority, and the fish and game department shall jointly prepare a study relative to the feasibility of an agreement for the mutual use of United States Coast Guard facilities. The division, the authority, and the department shall report their joint findings and any recommendations for executive or legislative action to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1999.

18 Navigation Project Obligations; Report by Port Authority. The New Hampshire state port authority shall prepare a report relative to justifications for the United States Army Corps of Engineers to release the state from its obligation to dredge the Hampton-Seabrook Harbor under the 1964 agreement relative to the Navigation Project for the Improvement of Hampton Harbor, NH. The authority shall report its findings and any recommendations for proposed executive or legislative action to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1999.

19 Committee to Study the Protection of Waterfront Properties from Erosion.

I. Committee Established. There is established a committee to study the protection of waterfront properties from erosion.

II. Membership and Compensation.

(a) The members of the committee shall be as follows:

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

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

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. Duties. The committee shall study the potential establishment of joint state and local projects to protect from erosion selected waterfront properties along the seacoast and various rivers throughout the state. The committee shall examine options for sharing the cost of the design, engineering, and construction of such projects.

IV. Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

V. Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 1999.

20 Route 93 Borrow-a-Lane Project; Appropriation. The sum of \$30,000 is appropriated for the fiscal year ending June 30, 2000, and the sum of \$30,000 is appropriated for the fiscal year ending June 30, 2001, to the department of transportation for the operation and maintenance of temporary southbound lanes on Route 93 in Concord and Bow which can be utilized on an as needed basis. This appropriation shall be a charge against the highway fund.

21 Interstate Cooperation; Reference Deleted. Amend RSA 421-B:31-a to read as follows:

421-B:31-a Interstate Cooperation. The secretary of state and ~~his~~ **the secretary of state's** staff shall maintain close relations with the securities and corporate administrators of other states and shall actively participate in the activities and affairs of the North American Security Administrators Association and other organizations so far as it will, in the secretary of state's judgment, enhance the purposes of the securities and corporate laws [and shall be exempt from the provisions of RSA 9:25]. The actual and necessary travel and related expenses incurred in attending meetings of said association, their committees, subcommittees, hearings, and other official activities, as well as the general expenses of participation in such associations, shall be a charge on available funds and the appropriation of the office of the secretary of state.

22 Repeal. RSA 9:25 and 9:26, relative to expenses for out-of-state trips by state officials or employees, are repealed.

23 Deputy Director of Motor Vehicles. Amend RSA 21-P by inserting after section 11 the following new section:

21-P:11-a Deputy Director of Motor Vehicles.

- I. The commissioner of safety shall nominate a deputy director of motor vehicles for appointment by the governor, with the consent of the council. The deputy director of motor vehicles shall serve a term of 4 years, and may be reappointed. The deputy director of motor vehicles shall be qualified to hold that position by reason of education and experience.
- II. The deputy director of motor vehicles shall perform such duties as are assigned by the director of motor vehicles. The deputy director of motor vehicles shall assume the duties of the director of motor vehicles in the event that the director of motor vehicles is unable for any reason to perform such duties.
- III. The salary of the deputy director of motor vehicles shall be as specified in RSA 94:1-a.

24 Change of Title of Position. Amend 94:1-a, I, group N by deleting the director of enforcement, department of safety and inserting in place thereof the deputy director, division of motor vehicles, department of safety.

25 Classified Salaries; October 1, 1999. RSA 99:1-a is repealed and reenacted to read as follows: 99:1-a Salaries Established. The salary ranges for all classified state employees commencing October 1, 1999, shall be established as follows:

October 1, 1999

SALARY GRADE	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
01	14,410.50	14,820.00	15,268.50	15,717.00	16,204.50
02	14,820.00	15,268.50	15,717.00	16,204.50	16,711.50
03	15,268.50	15,717.00	16,204.50	16,711.50	17,199.00
04	15,717.00	16,204.50	16,711.50	17,199.00	17,686.50
05	16,204.50	16,711.50	17,199.00	17,686.50	18,213.00
06	16,711.50	17,199.00	17,686.50	18,213.00	18,778.50
07	17,199.00	17,842.50	18,583.50	19,344.00	20,124.00
08	17,842.50	18,583.50	19,344.00	20,124.00	20,904.00
09	18,583.50	19,344.00	20,124.00	20,904.00	21,723.00
10	19,344.00	20,124.00	20,904.00	21,723.00	22,639.50
11	20,124.00	20,904.00	21,723.00	22,639.50	23,536.50
12	20,904.00	21,723.00	22,369.50	23,536.50	24,472.50
13	21,723.00	22,639.50	23,536.50	24,472.50	25,467.00

14	22,639.50	23,536.50	24,472.50	25,467.00	26,520.00
15	23,536.50	24,550.50	25,584.00	26,656.50	27,448.50
16	24,550.50	25,584.00	26,656.50	27,748.50	28,918.50
17	25,584.00	26,656.50	27,748.50	28,918.50	30,205.50
18	26,656.50	27,748.50	28,918.50	30,205.50	31,473.00
19	27,748.50	28,918.50	30,205.50	31,473.00	32,838.00
20	28,918.50	30,205.50	31,473.00	32,838.00	34,222.50
21	30,205.50	31,473.00	32,838.00	34,222.50	35,704.50
22	31,473.00	32,838.00	34,222.50	35,704.50	37,245.00
23	32,838.00	34,300.50	35,860.50	37,479.00	39,195.00
24	34,300.50	35,860.50	37,479.00	39,195.00	40,930.50
25	35,860.50	37,479.00	39,195.00	40,930.50	42,763.50
26	37,479.00	39,195.00	40,930.50	42,763.50	44,713.50
27	39,195.00	40,930.50	42,736.50	44,713.50	46,722.00
28	40,930.50	42,763.50	44,713.50	46,722.00	48,828.00
29	42,763.50	44,713.50	46,722.00	48,828.00	51,012.00
30	44,713.50	46,722.00	48,828.00	51,012.00	53,332.50
31	46,722.00	48,945.00	51,304.50	53,644.50	56,238.00
32	48,945.00	51,304.50	53,644.50	56,238.00	58,929.00
33	51,304.50	53,644.50	56,238.00	58,929.00	61,698.00
34	53,644.50	56,238.00	58,929.00	61,698.00	64,662.00

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

26 Classified Salaries; October 1, 2000. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all classified employees commencing October 1, 2000 shall be established as follows:

October 1, 2000

SALARY GRADE	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
01	14,839.50	15,268.50	15,717.00	16,185.00	16,692.00

02	15,268.50	15,717.00	16,185.00	16,692.00	17,218.50
03	15,717.00	16,185.00	16,692.00	17,218.50	17,706.00
04	16,185.00	16,692.00	17,218.50	17,706.00	18,213.00
05	16,692.00	17,218.50	17,706.00	18,213.00	18,759.00
06	17,218.50	17,706.00	18,213.00	18,759.00	19,344.00
07	17,706.00	18,369.00	19,149.00	19,929.00	20,728.50
08	18,369.00	19,149.00	19,929.00	20,728.50	21,528.00
09	19,149.00	19,929.00	20,728.50	21,528.00	22,366.50
10	19,929.00	20,728.50	21,528.00	22,366.50	23,322.00
11	20,728.50	21,528.00	22,366.50	23,322.00	24,238.50
12	21,528.00	22,366.50	23,322.00	24,238.50	25,213.50
13	22,366.50	23,322.00	24,238.50	25,213.50	26,227.50
14	23,322.00	24,238.50	25,213.50	26,227.50	27,319.50
15	24,238.50	25,291.50	26,344.50	27,456.00	28,587.00
16	25,291.50	26,344.50	27,456.00	28,587.00	29,776.50
17	26,344.50	27,456.00	28,587.00	29,776.50	31,102.50
18	27,456.00	28,587.00	29,776.50	31,102.50	32,409.00
19	28,587.00	29,776.50	31,102.50	32,409.00	33,832.50
20	29,776.50	31,102.50	32,409.00	33,832.50	35,256.00
21	31,102.50	32,409.00	33,832.50	35,256.00	36,777.00
22	32,409.00	33,832.50	35,256.00	36,777.00	38,356.50
23	33,832.50	35,334.00	36,933.00	38,610.00	40,365.00
24	35,334.00	36,933.00	38,610.00	40,365.00	42,159.00
25	36,933.00	38,610.00	40,365.00	42,159.00	44,050.50
26	38,610.00	40,365.00	42,159.00	44,050.50	46,059.00
27	40,365.00	42,159.00	44,050.50	46,059.00	48,126.00
28	42,159.00	44,050.50	46,059.00	48,126.00	50,290.50
29	44,050.50	46,059.00	48,126.00	50,290.50	52,533.00
30	46,059.00	48,126.00	50,290.50	52,533.00	54,931.50
31	48,126.00	50,407.50	52,845.00	55,263.00	57,934.50
32	50,407.50	52,845.00	55,263.00	57,934.50	60,703.50

33	52,845.00	55,263.00	57,934.50	60,703.50	63,550.50
34	55,263.00	57,934.50	60,703.50	63,550.50	66,592.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

27 Salaries Established; Law Enforcement Employees; January 1, 2000. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; Law Enforcement Employees. The salary ranges for law enforcement employees commencing January 1, 2000, shall be established as follows:

January 1, 2000

SALARY GRADE	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
01	19,355.70	19,920.42	20,511.66	21,129.68	21,774.22
02	19,920.42	20,511.66	21,129.68	21,774.22	22,467.90
03	20,511.66	21,129.68	21,774.22	22,467.90	23,110.36
04	21,129.68	21,774.22	22,467.90	23,110.36	23,779.34
05	21,774.22	22,467.90	23,110.36	23,779.34	24,470.68
06	22,567.90	23,110.36	23,779.34	24,470.68	25,242.10
07	23,110.36	23,959.52	24,959.74	25,989.08	27,042.86
08	23,959.52	24,959.74	25,989.08	27,042.86	28,096.38
09	24,959.74	25,989.08	27,042.86	28,096.38	29,203.46
10	25,989.08	27,042.86	28,096.38	29,203.46	30,410.64
11	27,042.86	28,096.38	29,203.46	30,410.64	31,646.68
12	28,096.38	29,203.46	30,410.64	31,646.68	32,880.38
13	29,203.46	30,410.64	31,646.68	32,880.38	34,216.52
14	30,410.64	31,646.68	32,880.38	34,216.52	35,630.14
15	31,646.68	32,982.56	34,396.44	35,810.32	37,299.60
16	32,982.56	34,396.44	35,810.32	37,299.60	38,869.22
17	34,396.44	35,810.32	37,299.60	38,869.22	40,591.98
18	35,810.32	37,299.60	38,869.22	40,591.98	42,288.22
19	37,299.60	38,869.22	40,591.98	42,288.22	44,137.60
20	38,869.22	40,591.98	42,288.22	44,137.60	45,991.66

21	40,591.98	42,288.22	44,137.60	45,991.66	47,996.78
22	42,288.22	44,137.60	45,991.66	47,996.78	50,053.12
23	44,137.60	46,093.84	48,176.96	50,362.00	52,673.92
24	46,093.84	48,176.96	50,362.00	52,673.92	55,014.70
25	48,176.96	50,362.00	52,673.92	55,014.70	57,457.92
26	50,362.00	52,673.92	55,014.70	57,457.92	60,078.72
27	52,673.92	55,014.70	57,457.92	60,078.72	62,779.86
28	55,014.70	57,457.92	60,078.72	62,779.86	65,631.80
29	57,457.92	60,078.72	62,779.86	65,631.80	68,564.08
30	60,078.72	62,779.86	65,631.80	68,564.08	71,671.86
31	62,779.86	65,785.20	68,948.62	72,109.70	75,582.00
32	65,785.20	68,948.62	72,109.70	75,582.00	79,207.70
33	68,948.62	72,109.70	75,582.00	79,207.70	82,933.50
34	72,109.70	75,582.00	79,207.70	82,933.50	86,894.86

28 Salaries Established; Law Enforcement Employees; January 1, 2001. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; Law Enforcement Employees. The salary ranges for law enforcement employees commencing January 1, 2001, shall be established as follows:

January 1, 2001

SALARY GRADE	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
01	19,935.76	20,516.08	21,125.26	21,763.30	22,425.52
02	20,516.08	21,125.26	21,763.30	22,425.52	23,141.56
03	21,125.26	21,763.30	22,425.52	23,141.56	23,801.70
04	21,763.30	22,425.52	23,141.56	23,801.70	24,490.70
05	22,425.52	23,141.56	23,801.70	24,490.70	25,204.40
06	23,141.56	23,801.70	24,490.70	25,204.40	25,997.92
07	23,801.70	24,677.64	25,706.72	26,767.26	27,851.98
08	24,677.64	25,706.72	26,767.26	27,851.98	28,939.04
09	25,706.72	26,767.26	27,851.98	28,939.04	30,079.40
10	26,767.26	27,851.98	28,939.04	30,079.40	31,322.20
11	27,851.98	28,939.04	30,079.40	31,322.20	32,595.94

12	28,939.04	30,079.40	31,322.20	32,595.94	33,865.26
13	30,079.40	31,322.20	32,595.94	33,865.26	35,241.18
14	31,322.20	32,595.94	33,865.26	35,241.18	36,697.18
15	32,595.94	33,971.86	35,427.86	36,884.12	38,417.86
16	33,971.86	35,427.86	36,884.12	38,417.86	40,034.02
17	35,427.86	36,884.12	38,417.86	40,034.02	41,808.00
18	36,884.12	38,417.86	40,034.02	41,808.00	43,555.20
19	38,417.86	40,034.02	41,808.00	43,555.20	45,460.48
20	40,034.02	41,808.00	43,555.20	45,460.48	47,369.92
21	41,808.00	43,555.20	45,460.48	47,369.92	49,435.10
22	43,555.20	45,460.48	47,369.92	49,435.10	51,553.58
23	45,460.48	47,476.52	49,621.78	51,871.56	54,252.38
24	47,476.52	49,621.78	51,871.56	54,252.38	56,664.40
25	49,621.78	51,871.56	54,252.38	56,664.40	59,180.68
26	51,871.56	54,252.38	56,664.40	59,180.68	61,879.48
27	54,252.38	56,664.40	59,180.68	61,879.48	64,662.52
28	56,664.40	59,180.68	61,879.48	64,662.52	67,599.22
29	59,180.68	61,879.48	64,662.52	67,599.22	70,620.16
30	61,879.48	64,662.52	67,599.22	70,620.16	73,821.28
31	64,662.52	67,757.04	71,015.88	74,272.64	77,849.46
32	67,757.04	71,015.88	74,272.64	77,849.46	81,581.76
33	71,015.88	74,272.64	77,849.46	81,581.76	85,420.92
34	74,272.64	77,849.46	81,581.76	85,420.92	89,500.32

29 Unclassified Salaries; October 1, 1999. The introductory paragraph of RSA 94:1-a, I is repealed and reenacted to read as follows:

I. The salary ranges for the positions set forth in the following groups shall be as follows commencing on October 1, 1999:

30 Unclassified Salaries; Salary Ranges for Groups; October 1, 1999. Amend RSA 94:1-a, I by replacing the salary ranges for each group with the following:

Group I	\$26,662	\$39,969
Group J	\$31,089	\$44,403
Group K	\$35,513	\$48,855

Group L	\$39,973	\$53,288
Group M	\$44,408	\$57,723
Group N	\$48,858	\$62,171
Group O	\$51,079	\$65,508
Group P	\$57,725	\$74,372
Group Q	\$59,958	\$76,612
Group R	\$62,175	\$78,827
Group S	\$64,394	\$81,046
Group T		\$83,256
Group U		\$113,004
Group V		\$88,810
Group W		\$93,263

31 Unclassified Salaries; October 1, 2000. The introductory paragraph of RSA 94:1-a, I is repealed and reenacted to read as follows:

I. The salary ranges for the positions set forth in the following groups shall be as follows commencing on October 1, 2000:

32 Unclassified Salaries; Salary Ranges for Groups; October 1, 2000. Amend RSA 94:1-a, I by replacing the salary ranges for each group with the following:

Group I	\$27,461	\$41,168
Group J	\$32,021	\$45,735
Group K	\$36,578	\$50,320
Group L	\$41,172	\$54,886
Group M	\$45,740	\$59,454
Group N	\$50,323	\$64,036
Group O	\$52,611	\$67,473
Group P	\$59,456	\$76,603
Group Q	\$61,756	\$78,910
Group R	\$64,040	\$81,191
Group S	\$66,325	\$83,477
Group T		\$85,753
Group U		\$116,394
Group V		\$91,474
Group W		\$96,060

33 Salary Wages for Councilors and Commissioners; October 1, 1999. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing

October 1, 1999: Minimum Maximum

Governor's councilors \$11,098

Pari-mutuel commissioners \$ 8,415

Sweepstakes commission, chairman \$12,627

Sweepstakes commission, members \$ 6,734

34 Salary Wages for Councilors and Commissioners; October 1, 2000. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing

October 1, 2000: Minimum Maximum

Governor's councilors \$11,430

Pari-mutuel commissioners \$ 8,667

Sweepstakes commission, chairman \$13,005

Sweepstakes commission, members \$ 6,936

35 Classified Increases; October 1, 1999. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Classified employees of the state as of October 1, 1999, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

36 Classified Increases; October 1, 2000. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Classified employees of the state as of October 1, 2000, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

37 Judicial Salaries; October 1, 1999. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court \$106,649

Associate justices, supreme court \$103,416

Chief justice, superior court \$103,416

Associate justices, superior court \$ 96,952

District court justices prohibited

from practice pursuant to

RSA 502-A:21 \$ 96,952

Probate judges prohibited from \$ 96,952

practice pursuant to RSA 547:2-a

38 Judicial Salaries; October 1, 2000. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court \$109,848

Associate justices, supreme court \$106,518

Chief justice, superior court \$106,518

Associate justices, superior court \$ 99,861

District court justices prohibited

from practice pursuant to

RSA 502-A:21 \$ 99,861

Probate judges prohibited from

practice pursuant to RSA 547:2-a \$ 99,861

39 Judicial Employees; October 1, 1999. All judicial employees shall receive 3 percent salary increases on October 1, 1999.

40 Judicial Employees; October 1, 2000. All judicial employees shall receive 3 percent salary increases on October 1, 2000.

41 Legislative Employees; October 1, 1999. Legislative employees shall receive 3 percent salary increases effective October 1, 1999, if such increases are approved by the appointing authority.

42 Legislative Employees; October 1, 2000. Legislative employees shall receive 3 percent salary increases effective October 1, 2000, if such increases are approved by the appointing authority.

43 Changes in Salary Groups. Any classified employee whose position was changed from one salary group to a lower paying salary group, during the 1999 legislative session, shall continue to receive the salary and scheduled raises of the higher paying salary group so long as such employee is employed in such position.

44 Appropriation. The following sums are appropriated from the following sources for the purposes of sections 26-44 of this act for the fiscal years ending June 30, 2000 and June 30, 2001:

FY 2000						
All	General	Federal	Highway	Turnpike	Fish & Game	Other
\$10,298,116	\$ 5,548,154	\$1,198,189	\$2,225,208	\$235,358	\$128,377	\$ 962,830

FY 2001						
All	General	Federal	Highway	Turnpike	Fish&Game	Other
\$24,243,747	\$13,024,483	\$2,761,220	\$5,381,480	\$561,883	\$295,845	\$2,218,836

The governor is authorized to draw a warrant for said sums out of the appropriate funds.

45 Effective Date.

I. Section 8 of this act shall take effect upon its passage

II. Sections 15-19, 21, and 22 of this act shall take effect 60 days after its passage.

III. Sections 25, 27, 29, 30, 33, 35, 37, 39, and 41 shall take effect October 1, 1999.

IV. Sections 26, 28, 31, 32, 34, 36, 38, 40, and 42 shall take effect October 1, 2000.

V. The remainder of this act shall take effect July 1, 1999.

AMENDED ANALYSIS

This bill:

I. Enables additional revenues to be made available for certain health and human services programs.

II. Permits the division for children, youth, and families, department of health and human services, to transfer certain funds which would otherwise lapse to the salary adjustment fund.

III. Permits the commissioner of the department of health and human services to fill authorized unfunded positions.

IV. Authorizes the commissioner of the department of health and human services to make transfers among accounts and program appropriation units.

V. Extends the length of time allowed to recover the costs of state facility energy cost-saving measures.

VI. Makes an appropriation to the governor's office of energy and community services for the purpose of satisfying disallowed federal reimbursed costs.

VII. Transfers up to \$20,000,000 of general fund undesignated surplus for the fiscal year ending June 30, 1999 to the education trust fund.

VIII. Adds the position of warden of the Northern New Hampshire Correctional Facility to unclassified personnel group N.

IX. Reduces the state guarantee on bonds issued by the Pease development authority from \$60,000,000 to \$35,000,000 and repeals the provision for Pease development authority bonds to secure bank financing for a comprehensive development plan.

X. Grants laid-off state employees certain rights with regard to rehiring.

XI. Adds the house of representatives public works and highways committee chairperson to the joint committee on employee relations, permits the speaker of the house and the president of the senate to appoint alternates to the committee, and changes the order in which the members of the committee are listed in the statute.

XII. Requires a feasibility study on mutual use of Coast Guard facilities and a report on Navigation Project obligations.

XIII. Establishes a committee to study the protection of waterfront properties from erosion.

XIV. Makes an appropriation to the department of transportation for the borrow-a-lane project.

XV. Repeals provisions governing authorization from the governor and council for expenses for out-of-state trips by state officials or employees.

XVI. Establishes the position of deputy director of motor vehicles.

XVII. Grants pay raises to state employees, judicial employees, and legislative employees.

1999-1774h

Floor Amendment to HB 2-FN-A

Proposed by Rep. Kurk

Amend the bill by replacing section 6 with the following:

6 Transfer Authority; Department of Health and Human Services. The commissioner of health and human services may transfer not more than \$2,277,000 in general funds each year for the purpose of increasing salaries for direct care providers for persons with developmental and acquired disabilities. Applicable matching federal funds shall be accepted to the extent that they become available in accordance with section 3 of this act. The commissioner shall not execute a transfer without obtaining the approval of the legislative fiscal committee and the governor and council.

1999-1775h

Floor Amendment to HB 2-FN-A

Proposed by Rep. Kurk

Amend the bill by replacing section 10 with the following:

10 Budget Surplus; Transfer to Education Trust Fund. Notwithstanding RSA 9:13-e, any general fund undesignated surplus for the fiscal year ending June 30, 1999 up to \$21,500,000 shall be transferred to the education trust fund established pursuant to RSA 198:39. Any general fund undesignated surplus in excess of \$21,500,000 shall be transferred according to RSA 9:13-e.

AMENDED ANALYSIS

CLERK’S NOTE: This amendment would change the analysis as follows:

Transfers up to \$21,500,000 of general fund undesignated surplus for the fiscal year ending June 30, 1999 to the education trust fund.

1999-1820h

Floor Amendment to HB 2-FN-A

Proposed by Reps. Sapareto and Franks

Amend the bill by inserting after section 45 the following and renumbering the original section 46 to read as 47:

46 Appropriation; Air Conditioners for House Chambers. The sum of \$10,000 for the fiscal year ending June 30, 2000 is hereby appropriated to the department of administrative services for the purpose of purchasing air conditioning units for installation in the chambers of the house of representatives. This appropriation shall be in addition to any other sums appropriated to the department of administrative services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill:

- I. Authorizes the commissioner of the department of health and human services to implement a pharmaceutical purchasing initiative.
- II. Enables additional revenues to be made available for certain health and human services programs.
- III. Permits the division for children, youth, and families, department of health and human services, to transfer certain funds which would otherwise lapse to the salary adjustment fund.
- IV. Permits the commissioner of the department of health and human services to fill authorized unfunded positions.
- V. Authorizes the commissioner of the department of health and human services to make transfers among accounts and program appropriation units.
- VI. Extends the length of time allowed to recover the costs of state facility energy cost-saving measures.

VII. Makes an appropriation to the governor's office of energy and community services for the purpose of satisfying disallowed federal reimbursed costs.

VIII. Transfers up to \$20,000,000 of general fund undesignated surplus for the fiscal year ending June 30, 1999 to the education trust fund.

IX. Adds the position of warden of the Northern New Hampshire Correctional Facility to unclassified personnel group N.

X. Reduces the state guarantee on bonds issued by the Pease development authority from \$60,000,000 to \$35,000,000 and repeals the provision for Pease development authority bonds to secure bank financing for a comprehensive development plan.

XI. Grants laid-off state employees certain rights with regard to rehiring.

XII. Adds the house of representatives public works and highways committee chairperson to the joint committee on employee relations, permits the speaker of the house and the president of the senate to appoint alternates to the committee, and changes the order in which the members of the committee are listed in the statute.

XIII. Requires a feasibility study on mutual use of Coast Guard facilities and a report on Navigation Project obligations.

XIV. Establishes a committee to study the protection of waterfront properties from erosion.

XV. Makes an appropriation to the department of transportation for the borrow-a-lane project.

XVI. Repeals provisions governing authorization from the governor and council for expenses for out-of-state trips by state officials or employees.

XVII. Establishes the position of deputy director of motor vehicles.

XVIII. Grants pay raises to state employees, judicial employees, and legislative employees.

XIX. Makes an appropriation for air conditioners for the house chambers.

1999-1833h

Floor Amendment to HB 2-FN-A

Proposed by Reps. Sapareto and Sabella

Amend the bill by inserting after section 45 the following and renumbering the original section 46 to read as 56:

46 New Chapter; Statewide Education Property Tax. Amend RSA by inserting after chapter 76 the following new chapter:

CHAPTER 76-A

STATEWIDE EDUCATION PROPERTY TAX

76-A:1 Definitions. In this chapter:

I. "Assessing official" means the assessing authority of any town, city, or place.

II. "Claimant" means a person who:

(a) Has filed a claim with a municipality for reduction in such claimant's property taxes under this chapter; and

(b) During the 3 fiscal years preceding the year in which the person files a claim for relief under this chapter:

(1) Has had an ownership interest in a homestead and was domiciled in the homestead upon which education property taxes have accrued and for which the person is making a claim for tax relief from the statewide education property tax in this state; and

(2) Was not a full-time student claimed as a dependent by any taxpayer under the United States Internal Revenue Code.

III. "Commissioner" means the commissioner of the department of revenue administration.

IV. "Consumer price index" means the most recent available consumer price index for the Boston metropolitan area published by the United States Department of Labor.

V. "Department" means the department of revenue administration.

VI. "Education property taxes" means the sum of the statewide education property tax under this chapter and the education portion of property taxes assessed by a municipality.

VII. "Equalized assessed value" or "equalized assessed valuation" means the modified assessed valuation of property equalized by the commissioner pursuant to RSA 21-J:3, XIII. In this paragraph, "modified assessed valuation" means the sum of the assessments of taxable property in a municipality less the statutory exemptions provided in RSA 72:12-a, 72:12-b, 72:37, 72:39-a, and 72:39-b. "Modified assessed valuation" shall not include optional exemptions provided in RSA 72:37-b, 72:62, 72:66, and 72:70.

VIII.(a) "Excess education property taxes" means the sum of:

(1) The product of the state education rate determined by the commissioner pursuant to RSA 76-A:2 multiplied by the equalized value of qualifying homesteads not exceeding \$100,000 and exclusive of special assessments not including current use, delinquent interest and charges for service, levied as of April 1 on a claimant's homestead in this state; and

(2) The amount of the education portion of property taxes assessed by the claimant's municipality levied as of April 1 on a claimant's homestead in this state; which is in excess of 10 percent of a claimant's household income for the calendar year preceding the tax year of the excess education property tax claim.

(b) In this paragraph, "equalized assessed value of qualifying homesteads" means the local assessed value of the homestead equalized by applying the equalization ratio for the municipality, as determined by the commissioner pursuant to RSA 21-J:3, XIII, for the year of the claim.

(c) A qualifying homestead is the first \$100,000 of equalized value of a homestead. If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common, and one or more persons or entities are not members of the claimant's household, "excess education property taxes" applies to that part of statewide education property taxes levied on the homestead which reflects the ownership percentage of the claimant and the claimant's household. If a homestead is an integral part of a larger unit such as a multi-dwelling building, the statewide education property taxes shall be that percentage of the total education property taxes accrued as the total inhabitable area of the claimant's dwelling is of the total inhabitable area of the building. For purposes of this paragraph "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part.

IX.(a) "Homestead" means the dwelling owned by a claimant which is used as the claimant's principal place of residence for not less than 240 days in a calendar year and includes the following:

(1) The land upon which the dwelling stands;

(2) Visual and ordinary appurtenant structures such as but not limited to garages, wood sheds, barns, and other out buildings;

(3) The land upon which such appurtenant structures stand;

(4) Land contiguous to such dwelling and appurtenant structures that is groomed and maintained around them; and

(5) Land necessary to the support and service of the dwelling such as but not limited to driveways and maintained rights-of-way for purposes of ingress and egress to the dwelling.

(b) A homestead may consist of a part of a multi-unit dwelling and its proportionate share of the land upon which it stands and other ordinary appurtenant common facilities.

(c) In this paragraph the term "owned" includes a vendee in possession under a land contract and one or more joint tenants or tenants in common.

(d) "Homestead" shall not include personal property such as furniture, furnishings or appliances, or structures.

(e) Manufactured housing may be a homestead.

X. "Household income" means federal adjusted gross income as defined in the United States Internal Revenue Code.

XI. "Municipality" means a city, town, or place.

XII. "Statewide education property tax" means a tax levied at an equal and uniform rate on the equalized assessed valuation of property.

XIII. "Tax collector" means the appointed or elected collector of taxes for a municipality.

XIV. "United States Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended, without the rules, regulations, forms, and procedures of the United States Internal Revenue Service. The rules, regulations, forms and procedures of the United States Internal Revenue Service may, however, be used by the commissioner of revenue administration in formulating rules for adoption under RSA 541-A. This definition shall be operative unless and until a specific statutory exception to its adoption is provided in this chapter, or until the application of one of its provisions is held to violate the New Hampshire constitution.

76-A:2 Statewide Education Property Tax Established.

I. A statewide education property tax is levied annually on all taxable real estate in the state, except property subject to the tax under RSA 82 and RSA 83-F, to compensate each municipality, on an equal per pupil basis by grade, for its costs in the preceding school year to:

(a) Provide a constitutionally adequate education pursuant to part 2, article 83 of the New Hampshire constitution.

(b) Compensate each municipality on an equal per pupil basis for kindergarten where provided in the last completed school year or where provided in the current school year and not in the last completed school year.

(c) Provide additional grants to certain qualifying municipalities whose tax effort per pupil exceeds an equalized rate of \$5.

II. Valuation of the property for the purpose of apportionment and setting the equalized state education rate shall be determined by equalized assessed valuation as prepared annually by the department.

III. The total amount to be raised, each year, shall be the sum calculated pursuant to RSA 198:40, 40-a, 40-b, and 41.

IV. The rate shall be established by the commissioner of revenue administration each year based on the equalized state education rate required to raise the total amount in RSA 76-A:2, III. The commissioner shall report to the legislature on or before December 1 of each year.

76-A:3 Apportionment. The commissioner, before December 15 of every year, shall apportion the amount to be raised by each municipality according to its proportion of the equalized assessed valuation of the state from the most recently available equalization survey. The commissioner shall report the amounts assessed against each municipality to the state treasurer and to each municipality.

76-A:4 Time of Assessment and Payment. The statewide education property tax shall be deemed assessed on April 1 in each year and is payable on demand to the education trust fund on or after said date.

76-A:5 Collection. The assessing officials for each municipality shall make a list of all statewide education property taxes by them assessed against property under their hands and seals to the tax collector, directing the tax collector to collect the statewide education property taxes along with other property taxes. It shall be listed as a separate line on the single municipal property tax bill. Upon application by the assessing officials, the commissioner for good cause may extend the time for delivery of the statewide education property tax warrant.

76-A:6 Remedies for Collection. The statewide education property tax may be collected by all of the means and methods provided for the collection of property taxes under RSA 80.

76-A:7 Interest and Charges for Nonpayment. Nonpayment of the statewide education property tax shall incur the same charges and interest accruing to municipalities as are imposed by law for nonpayment of property taxes.

76-A:8 Liability of Cities and Towns. Each municipality shall be liable to the state for all statewide education property taxes

lawfully assessed in such municipality.

76-A:9 Payment to State. Each municipality shall cause its tax collector to certify such information as the state treasurer shall require, and shall cause its treasurer to pay over to the state treasurer, less any payments due from the state treasurer or which would be due to the state treasurer attributable to this chapter, 25 percent, of the assessed statewide property taxes on each of the following dates: July 1, October 1, January 1, and April 1.

76-A:10 Failure to Make Payment. If any municipality fails to make payments as provided in this chapter:

- I. The state treasurer shall withhold an amount equal to any unremitted statewide education property taxes for which the municipality is liable, from any amounts payable by the state to such municipality. The state treasurer shall not pay to any municipality any amounts that may be due it from the state until all payments of statewide education property tax as due have been paid; and
- II. The commissioner shall penalize the municipality for an amount which is twice the amount owed by the municipality under this chapter.

76-A:11 Extents. The state treasurer may also issue an extent for the amounts of all statewide education property taxes not remitted by any municipality as provided in this chapter.

76-A:12 Supplementary Bond of Collector. Whenever the commissioner considers it necessary, a tax collector may be required to furnish a further and additional bond beyond that required by other provisions of law, with sureties, in such form and amount as the commissioner approves. The additional premium costs shall be paid by the state from the education trust fund established by RSA 198:39.

76-A:13 Disposition of Taxes. All funds received by the state treasurer under the provisions of this chapter shall be deposited in the education trust fund established by RSA 198:39.

Statewide Education Property Tax Relief

76-A:14 Claims for Statewide Education Property Tax Relief.

I.(a) A claimant shall be entitled to make claim to the taxing municipality for statewide education property tax relief equal to the excess education property taxes as levied under this chapter on the first \$100,000 of equalized valuation of the claimants homestead. Such claims shall not exceed \$2,250 per claimant during any calendar year. A claimant shall not be entitled to any statewide education property tax relief if there are no excess education property taxes or for any excess education property taxes which accrued prior to January 1 of the preceding calendar year.

(b) No claim with respect to relief by a claimant under this subdivision shall be allowed unless the claim is filed with the municipality by March 1 following the date of notice of tax as defined in RSA 72:1-d. The municipality shall include all necessary forms for filing as provided by the department in the first bill.

II. No interest shall be allowed on any relief to which a claimant may be entitled under this subdivision.

76-A:15 Rebate to Claimant. Within 30 days of receipt of a claim, the municipality shall reduce the claimant's tax bill by the qualifying excess education property taxes. Where more than one tax bill is issued by the municipality, the excess education property taxes shall be divided proportionally between the bills. Timely payment to the municipality of net taxes by the claimant is not required to receive the tax reduction under this chapter.

76-A:16 Reports of Claims. Municipalities shall report to the department by April 1 of each year on the total amount of rebates made under RSA 76-A:15. By April 15 of each year, the department shall report to the state treasurer the total amount of rebates made by each municipality under RSA 76-A:15.

76-A:17 Reimbursement to Municipalities for Claims. Within 30 days of receipt of the report by the department required under RSA 76-A:16, the state treasurer shall reimburse municipalities for the total of qualified claims received under RSA 76-A:15. Such payments shall be charged against the education trust fund established in RSA 198:39.

76-A:18 One Claimant Per Household. Only one claimant per household per year shall be entitled to relief under this subdivision.

76-A:19 Claim is Personal. The right to file a claim under this subdivision shall be personal to the claimant. The right to file a

claim under this subdivision shall survive the claimant's death to the extent that this right may be exercised on behalf of a claimant by a legal guardian, attorney, spouse, or another person who could have qualified as the claimant had the decedent not filed.

76-A:20 Administration; Rulemaking.

I. This subdivision shall be administered and enforced by the department.

II. The department shall adopt rules, pursuant to RSA 541-A, necessary to administer and enforce this subdivision.

76-A:21 Forms for Claim.

I. The commissioner of revenue administration shall make available to municipalities suitable forms with instructions for claimants. Such forms may require claimants to provide all information reasonably necessary to determining the accuracy of claims, including, but not limited to, property taxes accrued, changes of homestead, household membership, household income, size and nature of property claimed as the homestead, and a statement that the property taxes have been or will be paid by the claimant.

II. Municipalities shall make such forms available to claimants.

76-A:22 Verification of Claim; Redetermination.

I. If a municipality has reason to suspect the accuracy of a claim, the municipality may request that the department verify the household income of the claimant.

II. Upon receipt of such income verification from the department, the municipality may redetermine the claim and assess and collect, in the same manner as provided for property taxes under RSA 80, any amount of such claim in excess of the predetermined amount.

76-A:23 Fraudulent Claims; Penalty. A person shall be guilty of a class A misdemeanor who:

I. Files a fraudulent claim.

II. With fraudulent intent, assisted in the preparation or filing of the fraudulent claim or supplied information upon which the fraudulent claim was prepared.

76-A:24 Appeals. Any person aggrieved by the denial in whole or in part of a claim under this subdivision, except when the denial is based upon late filing of claim, may appeal the denial to the board of tax and land appeals or to the superior court in the county in which the person resides by filing a petition within 30 days after such denial. Procedures for an appeal of a denial of a claim shall be the same as the procedures for an appeal of a denial of an abatement of property tax under RSA 76:16-a–76:17.

76-A:25 Claim Applied Against Outstanding Liabilities. The amount of any claim otherwise payable under this subdivision may be applied by the municipality against any liability outstanding against the claimant or against anyone who was a member of the household in the taxable year to which the claim relates.

47 Education Trust Fund. Amend RSA 6:12, I(www) to read as follows:

(www) Money received under ***RSA 76-A, RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, RSA 198:46***, and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

48 Rate of Utility Property Tax Increased. Amend RSA 83-F:2 to read as follows:

83-F:2 Tax Imposed. For taxable periods beginning April 1, 1999, a tax is imposed upon the value of utility property at the rate ~~of \$6.60~~ ***established by the commissioner under RSA 76-A:2, IV*** on each \$1000 of such value, to be assessed annually as of April 1, and every year thereafter, and paid in accordance with this chapter.

49 Utility Property; Exemption. Amend RSA 83-F:9 to read as follows:

83-F:9 Exemption from ~~[Local Taxation]~~ ***Statewide Education Property Tax***. Persons and property subject to taxation under this chapter shall not be subject to tax under RSA ~~[76:3]~~ ***76-A***; provided, however, that nothing in this chapter shall be construed to exempt such persons or property from local school, municipal, district, or county taxation under RSA 76.

50 New Paragraph; Definition; Tax Effort Per Pupil. Amend RSA 198:38 by inserting after paragraph XI the following new paragraph:

XII. "Tax effort per pupil" means the equalized education tax rate for a municipality based on equalized assessed valuation that is required to raise \$1,000 per pupil above that provided by the adequate education grant in this subdivision and other non-municipal sources. Pupil counts are based on the average daily membership in residences, as defined in paragraph X.

51 Payments to Cap Tax Effort Per Pupil Added. Amend the introductory paragraph of RSA 198:39, I to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than to distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42 ***and make payments to municipalities to cap their tax effort per pupil under this subdivision.*** The state treasurer shall deposit into this fund immediately upon receipt:

52 New Subparagraph; Education Trust Fund. Amend RSA 198:39, I by inserting after subparagraph (k) the following new subparagraph:

(l) The full amount of the statewide property tax under RSA 76-A.

53 New Sections; Supplemental Distributions Per Pupil. Amend RSA 198 by inserting after section 40 the following new sections:

198:40-a Determination of the Maximum Tax Effort Per Pupil. The maximum tax effort per pupil is set at the equalized rate of \$5 using the latest available equalization survey for equalized value.

198:40-b Supplemental Distributions to Cap Tax Effort per Pupil. Any municipality for which there is a dollar amount needed to reduce the municipality's tax effort per pupil to an equalized rate of \$5 for education spending greater than provided by the education trust fund and all other non-municipal sources for the last completed school year for any fiscal year shall be entitled to a quarterly supplemental distribution over the next school year equal to that amount which would have reduced the municipality's tax effort per pupil, in the immediately preceding tax year, as defined in RSA 198:38, XII, to a rate of \$5 based on equalized assessed valuation. Such supplemental distributions shall be distributed in the same manner as adequate education grants under RSA 198:42.

54 New Section; Use of Funds. Amend RSA 198 by inserting after section 43 the following new section:

198:43-a Use of Funds.

I. Municipalities shall apply the entire amount of aid received under RSA 198:42 to education. On or before June 30 of each year, the individual with fiscal responsibility in each municipality shall submit a statement to the commissioner of education that the adequate education grant received under RSA 198:42 was applied entirely to education. The statement shall include the following: *"I certify, under the pains and penalties of perjury, that all of the information contained in this document is true, accurate, and complete."*

55 Repeal. RSA 76:3, relative to the education property tax, is repealed.

AMENDED ANALYSIS

This bill:

I. Authorizes the commissioner of the department of health and human services to implement a pharmaceutical purchasing initiative.

II. Enables additional revenues to be made available for certain health and human services programs.

III. Permits the division for children, youth, and families, department of health and human services, to transfer certain funds which would otherwise lapse to the salary adjustment fund.

IV. Permits the commissioner of the department of health and human services to fill authorized unfunded positions.

V. Authorizes the commissioner of the department of health and human services to make transfers among accounts and

program appropriation units.

VI. Extends the length of time allowed to recover the costs of state facility energy cost-saving measures.

VII. Makes an appropriation to the governor's office of energy and community services for the purpose of satisfying disallowed federal reimbursed costs.

VIII. Transfers up to \$20,000,000 of general fund undesignated surplus for the fiscal year ending June 30, 1999 to the education trust fund.

IX. Adds the position of warden of the Northern New Hampshire Correctional Facility to unclassified personnel group N.

X. Reduces the state guarantee on bonds issued by the Pease development authority from \$60,000,000 to \$35,000,000 and repeals the provision for Pease development authority bonds to secure bank financing for a comprehensive development plan.

XI. Grants laid-off state employees certain rights with regard to rehiring.

XII. Adds the house of representatives public works and highways committee chairperson to the joint committee on employee relations, permits the speaker of the house and the president of the senate to appoint alternates to the committee, and changes the order in which the members of the committee are listed in the statute.

XIII. Requires a feasibility study on mutual use of Coast Guard facilities and a report on Navigation Project obligations.

XIV. Establishes a committee to study the protection of waterfront properties from erosion.

XV. Makes an appropriation to the department of transportation for the borrow-a-lane project.

XVI. Repeals provisions governing authorization from the governor and council for expenses for out-of-state trips by state officials or employees.

XVII. Establishes the position of deputy director of motor vehicles.

XVIII. Grants pay raises to state employees, judicial employees, and legislative employees.

XIX. Changes the methodology of calculating the rate of the education property tax and the utility property tax and establishes a procedure for education property tax relief claims based on a homestead exemption.

XX. The bill also makes certain changes to the provisions for determining adequate education grants and allows for supplemental distributions to municipalities which are required to raise more than \$5 per \$1,000 per pupil from non-state sources.

1999-1852h

Floor Amendment to HB 2-FN-A

Proposed by Reps. Weyler and Belvin

Amend the bill by inserting after section 45 the following and renumbering the original section 46 to read as 47:

4 Department of Health and Human Services; Reports of Productivity Gains from Investments in Information Technology.

I. The commissioner of health and human services shall develop criteria for measuring the productivity gains which the department of health and human services has realized from the state's investments in computers and other information technologies. The commissioner shall submit such criteria to the fiscal committee for approval.

II. Following approval of the criteria by the fiscal committee, the commissioner of health and human services shall submit a quarterly report on the department's productivity gains realized from the state's investments in computer and information technologies, based on such criteria, to the fiscal committee for its approval. The first quarterly report shall be issued on or before September 30, 1999.

III. After approval by the fiscal committee the department shall forward a copy of each quarterly report to the house finance

committee, the senate finance committee, and the governor and council.

AMENDED ANALYSIS

This bill:

- I. Authorizes the commissioner of the department of health and human services to implement a pharmaceutical purchasing initiative.
- II. Enables additional revenues to be made available for certain health and human services programs.
- III. Permits the division for children, youth, and families, department of health and human services, to transfer certain funds which would otherwise lapse to the salary adjustment fund.
- IV. Permits the commissioner of the department of health and human services to fill authorized unfunded positions.
- V. Authorizes the commissioner of the department of health and human services to make transfers among accounts and program appropriation units.
- VI. Extends the length of time allowed to recover the costs of state facility energy cost-saving measures.
- VII. Makes an appropriation to the governor's office of energy and community services for the purpose of satisfying disallowed federal reimbursed costs.
- VIII. Transfers up to \$20,000,000 of general fund undesignated surplus for the fiscal year ending June 30, 1999 to the education trust fund.
- IX. Adds the position of warden of the Northern New Hampshire Correctional Facility to unclassified personnel group N.
- X. Reduces the state guarantee on bonds issued by the Pease development authority from \$60,000,000 to \$35,000,000 and repeals the provision for Pease development authority bonds to secure bank financing for a comprehensive development plan.
- XI. Grants laid-off state employees certain rights with regard to rehiring.
- XII. Adds the house of representatives public works and highways committee chairperson to the joint committee on employee relations, permits the speaker of the house and the president of the senate to appoint alternates to the committee, and changes the order in which the members of the committee are listed in the statute.
- XIII. Requires a feasibility study on mutual use of Coast Guard facilities and a report on Navigation Project obligations.
- XIV. Establishes a committee to study the protection of waterfront properties from erosion.
- XV. Makes an appropriation to the department of transportation for the borrow-a-lane project.
- XVI. Repeals provisions governing authorization from the governor and council for expenses for out-of-state trips by state officials or employees.
- XVII. Establishes the position of deputy director of motor vehicles.
- XVIII. Grants pay raises to state employees, judicial employees, and legislative employees.
- XIX. Requires the commissioner of health and humans services to develop criteria for measuring productivity gains realized by the department from investments in computers and information technologies, and to submit a quarterly report on such gains to the fiscal committee.

1999-1827h

Amendment to HB 615-FN-A

Proposed by the Committee on Finance - R

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

AN ACT establishing a registry for brain and spinal cord injuries.

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

1 Chapter Heading. Amend the chapter heading of RSA 137-K to read as follows:

~~[New Hampshire]~~ Brain and Spinal Cord

~~[Injury Advisory Council]~~ ***Injuries***

2 New Section; Definitions. Amend RSA 137-K by inserting after section 1 the following new section:

137-K:1-a Definitions. In this chapter:

I. "Brain and spinal cord injury" means any injury to the brain or spinal cord which causes death or requires medical care and treatment or results in long-term disability.

II. "Commissioner" means the commissioner of the department of health and human services.

III. "Department" means the department of health and human services.

IV. "Prevention services" means organized activities which are capable of reducing the incidence and prevalence of brain and spinal cord injuries.

V. "Risk assessment" means the measurement and evaluation of the threat resulting from these injuries.

VI. "Facility" means a governmental or private agency, department, institution, clinic, laboratory, hospital, health maintenance organization, association, physician, or other similar unit diagnosing or providing treatment for brain and spinal cord injuries.

3 Reference Change. Amend the introductory paragraph of RSA 137-K:2, I to read as follows:

I. There is established the New Hampshire brain and spinal cord injury advisory council in the department ~~[of health and human services]~~. The advisory council shall consist of the following members:

4 Reference Change. Amend the introductory paragraph of RSA 137-K:3 to read as follows:

137-K:3 Rulemaking. The commissioner ~~[of health and human services]~~ shall, after consultation with the advisory council established in RSA 137-K:2, adopt rules under RSA 541-A relative to:

5 New Paragraphs; Rulemaking Added. Amend RSA 137-K:3, V to read as follows:

V. Conducting prevention and screening services and delivering education programs.

VI. Content and design of all forms and reports required by this chapter.

VII. Procedures for disclosure of information gathered by the brain and spinal cord registry, by monitoring and evaluating health data, and from completed risk assessments.

VIII. Any other matter necessary for the administration of this chapter.

6 New Sections; Duties; Registry Established. Amend RSA 137-K by inserting after section 5 the following new sections:

137-K:5 Duties. The commissioner shall:

I. Educate the public regarding factors associated with the risk of brain and spinal cord injuries.

II. Monitor the morbidity and mortality of brain and spinal cord injuries.

III. Evaluate available health data for use in delivering prevention services.

IV. Offer prevention services to population groups at risk of developing brain and spinal cord injuries.

V. Undertake risk assessment activities.

137-K:6 Brain and Spinal Cord Injury Registry Established. There shall be established in the department a brain and spinal cord injury registry for compilation and analysis of information relating to the incidence, diagnosis, and treatment of brain and spinal cord injuries.

137-K:7 Reporting. All facilities shall provide a report to the brain and spinal cord injury registry containing information regarding a brain and spinal cord injury diagnosed or being treated.

137-K:8 Disclosure; Confidentiality.

I. A report provided to the brain and spinal cord injury registry disclosing the identity of an individual, who was reported as having a brain and spinal cord injury, shall only be released to persons demonstrating a need which is essential to health-related research, except that the release shall be conditioned upon the individual granting authority to release the information and personal identities remaining confidential.

II. Analyses and compilations of data prepared under RSA 137-K:5 which do not disclose the identity of an individual and which cannot be used to surmise an identity shall be available to the public under RSA 91-A.

III. The physician-patient privilege shall not apply to reports prepared pursuant to RSA 137-K:7.

137-K:9 Maintenance of Reports. Reports provided to the brain and spinal cord injury registry under RSA 137-K:7, and analyses and data prepared under RSA 137-K:5 shall be maintained by the department in a manner suitable for brain and spinal cord injury research purposes, and shall be available to persons as prescribed in RSA 137-K:8.

7 Report to Legislature by Commissioner. The commissioner of health and human services shall make a report to the speaker of the house of representatives and the senate president by June 30, 2000 on the establishment of the registry pursuant to RSA 137-K, and on the data collected and maintained by the department, including the types of injuries reported and the causes of such injuries.

8 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a registry for compilation and analysis of information relating to brain and spinal cord injuries, and requires the commissioner of health and human services to make an initial report to the legislature on the establishment of the registry.

1999-1837h

Amendment to SB 195-FN-A

Proposed by the Committee on Finance - R

1 Transfer of Appropriation. The amount of \$210,000, appropriated for state aid grants by 1997, 350:1 PAU 03, 04, 02, 01, 04 for fiscal year 1999, shall be transferred as income to the sampling and analysis of sludge or biosolids samples fund under RSA 485-A:4, XVI-c.

AMENDED ANALYSIS

This bill transfers \$210,000 appropriated for state aid grants to the sampling and analysis of sludge or biosolids samples fund.

This bill is a request of the department of environmental services.