

# State of New Hampshire

# HOUSE RECORD

## First Year of the 161st General Court Calendar and Journal of the 2009 Session

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| <b>Vol. 31</b>                                                                                                                               | <b>Concord, NH</b> | <b>Friday, April 3, 2009</b> | <b>No. 26</b> |
| Contains: Reports and Amendments for April 8 and April 9, Draft Proposed Amendments to the Ethics Guidelines, Hearings, Meetings and Notices |                    |                              |               |

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### HOUSE CALENDAR

#### MEMBERS OF THE HOUSE:

The House will meet at 10:00 a.m. on **Wednesday, April 8<sup>th</sup>**, beginning with a celebration of Tartan Day. The House will also meet on **Thursday, April 9<sup>th</sup>**, to complete our work before the deadline for Crossover.

The amendment to HB 25, the capital budget, is in this Calendar. The majority and minority amendments to HB 1, the operating budget, and HB 2, the trailer bill, are being printed separately. They will be available on line as soon as possible and in print form at the State House.

On behalf of the House, I would like to thank the members of the Finance, Ways and Means, and Public Works Committees for their dedication, hard work and long hours in putting together the House version of the operating and capital budgets. I would like to recognize Jeff Pattison and the staff in the Office of the Legislative Budget Assistant for their usual superb work in preparing the operating and capital budgets, as well as Finance Committee assistants Janet Clayman and Michelle Sinisgallo, Ways and Means Committee assistant Barbara Moynihan, and Public Works Committee assistant Judy Johnson, for their extraordinary service to the members of these budget committees.

Terie Norelli, Speaker

### NOTICE

The **Finance Committee** will hold **budget briefings** on **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2010 and June 30, 2011 and **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures in **Representatives Hall on Monday, April 6<sup>th</sup> from 10:00 to 11:30 a.m.**

Rep. Marjorie K. Smith, Chairman  
Finance Committee

## NOTICE

There will be a meeting of committee Chairmen and Vice Chairmen on **Tuesday, April 7<sup>th</sup>**, at 8:30 a.m. in Rooms 301-303, LOB.

Terie Norelli, Speaker

## NOTICE OF RECONSIDERATION

This day, Thursday, the 27<sup>th</sup> day of March, 2009, at 11:18 a.m. Representative Kathleen Taylor, having voted on the prevailing side, on March 26, 2009 when the House, on a division vote of 181-149, found **HB 415, adding certain terms regarding non-discrimination to the laws**, Inexpedient to Legislate, has served notice of reconsideration.

Karen O. Wadsworth, Clerk of the House

## NOTICE

There will be a Democratic Caucus on Wednesday, **April 8 at 9:00 a.m.** in Representatives Hall.  
Rep. Mary Jane Wallner, Majority Leader

## NOTICE

There will be a Republican Caucus on Monday, **April 6 at 2:00 p.m.** in Rooms 202-204, LOB and Wednesday, **April 8 at 8:45 a.m.** in Rooms 305-307, LOB.

Rep. Sherman A. Packard, Republican Leader

## NOTICE

**The Calendar closes at 3:00 p.m. on Wednesdays for scheduling and notices. It closes at 1:00 p.m. on Thursdays for Committee Reports.** Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices.

Karen O. Wadsworth, Clerk of the House

# WEDNESDAY, APRIL 8

## CONSENT CALENDAR

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 70**, relative to taking stones from stone walls. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety: New Hampshire's priceless stone walls, historic markers of boundaries for property and animals are disappearing through theft because of their historic and cultural value. This bill requires that perpetrators of such theft be required to make restitution based on the cost of materials and restoration and include attorney fees and costs. The outdated requirement of a \$15 fine has been removed because it does not cover the true cost of restoration. **Vote 19-0.**

**HB 215**, making technical corrections to certain OHRV and snowmobile laws. **OUGHT TO PASS.**  
Rep. David A Welch for Criminal Justice and Public Safety: This bill makes changes to statutes concerning OHRV's and snowmobiles to reflect omissions when the DWI statutes were recodified in a previous session. **Vote 19-0.**

**HB 276-FN**, relative to challenges of voters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shannon E Chandley for Criminal Justice and Public Safety: This bill, as amended, seeks to prevent indiscriminate and groundless challenges of voters. Since voting is recognized as a most fundamental right, the penalty for obstructing, interfering with, delaying or preventing a person

from voting should be significant. Under RSA 659:40, violations of this act would be charged with a class B felony. **Vote 19-1.**

**HB 295**, relative to mental health treatment for members of the armed forces and veterans convicted of crimes. **OUGHT TO PASS.**

Rep. Stanley E Stevens for Criminal Justice and Public Safety: This bill contained no penalty for the committee to consider. It only requires pre-sentence investigations for misdemeanors and felonies. **Vote 19-0.**

**HB 432-FN**, relative to penalties for telephone harassment involving a number used to facilitate transportation of voters or otherwise to support voting or registering to vote. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety: This bill criminalizes phone jamming and other actions that purposefully interfere with the legal right to vote. It imposes a Class A felony penalty on those who are guilty of such interference and clarifies statutes that facilitate the prosecution of such crimes. **Vote 19-0.**

**HB 473-FN**, relative to water treatment plants and penalties for safe drinking water violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A Welch for Criminal Justice and Public Safety: This bill, as presented to the committee for review of the penalties, has a section that called for a class B felony for purposely or knowingly polluting a community water supply. The committee reviewing the potential seriousness of such an act has amended the penalty to a class A felony. This is a crime against a large segment of society with potentially large scale effects. The operative words to make this a class A felony are “knowingly and purposely”, and call for severe penalties. **Vote 19-0.**

**HB 537-FN**, relative to penalties for oil spills. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety: This bill defines penalties for recklessly, purposefully, or knowingly discharging oil into surface or groundwater that will eventually seep into public drinking supply. **Vote 19-0.**

**HB 538-FN**, relative to penalties for water pollution. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety: This bill updates language clarifying the acts and increasing the penalties for certain violations of water pollution in domestic water supplies. **Vote 18-0.**

**HB 651-FN**, relative to regulation of private investigative agencies and security services. **OUGHT TO PASS.**

Rep. Delmar D Burrridge for Criminal Justice and Public Safety: The committee believes the penalty assessed for those engaged in the business of private investigators, or bail enforcement agents, were appropriate as recommended by the Committee on Executive Departments and Administrative and Administration. **Vote 19-0.**

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 251**, relative to the state registry of founded reports of abuse, neglect, or exploitation of adults. **OUGHT TO PASS.**

Rep. Laurie Harding for Executive Departments and Administration: This bill was reviewed by Executive Departments and Administration as a second committee bill and did not require any further work. As it came from Health, Human Services and Elderly Affairs Committee, the bill made technical changes in the state abuse registry law. The terms “perpetrator” and “volunteer” are defined. The bill also includes additional protections for incapacitated adults. Guardians and agents acting under powers of attorney will be added to the registry if there is a founded report of abuse, neglect or exploitation made against the guardian or agent. Current employers will be permitted to check the names of current employees against the registry. **Vote 20-0.**

**HB 345-FN**, allowing physical therapists to practice on animals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Hawkins for Executive Departments and Administration This bill came to Executive Departments and Administration as a second committee because it involves licensing. This bill will allow physical therapists, who have graduated from a singular program in animal physical therapy or animal rehabilitation, affiliated with an AVMA accredited veterinary school, with a minimum of

120 course hours, to practice physical therapy on animals. There has to be a referral from a veterinarian. **Vote 19-0.**

**HB 637-FN**, relative to bail agents and recovery agents. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M McGuire for Executive Departments and Administration: While supporting the concept of this bill, the committee felt that the licensing elements would better be incorporated in HB 651, which is a comprehensive rewrite of the regulatory requirements for private investigators, security services and bail agents. The committee, with assistance from Criminal Justice and Public Safety (the original committee), is crafting an amendment to HB 651 to be considered by the senate with the critical elements of HB 637. **Vote 18-1.**

## **FINANCE**

**HB 174-FN**, establishing a performance measurement system for state agencies. **OUGHT TO PASS.**

Rep. Bernard L Benn for Finance: The bill establishes a pilot program for the development of a performance measurement system in the department of health and human services. The program will include both process and end outcome indicators that will serve as a model for program level performance measurement in all agencies. DHHS is already engaged in the development of such performance measures and anticipates that the responsibilities added by this bill can be absorbed by existing staff. A final report by DHHS is due on July 1, 2010. In 2011, every agency will be required to adopt a data based evaluation system of all their programs based on this pilot program. To accomplish this, the department of administrative services states that in the future, large agencies may require funding of a full-time position. There are no appropriations contained in this bill. **Vote 22-0.**

**HB 310-FN**, relative to reimbursement of mileage for judges and marital masters. **OUGHT TO PASS.**

Rep. Benjamin C Baroody for Finance: This bill will allow mileage reimbursement for judges and marital masters to their assigned court that is in excess of 50 miles away. This is changed from 25 miles. It was estimated that 90% of all commuting falls under 50 miles. This was with support of the judicial branch and will save \$28,700 in FY2010 and each year thereafter. **Vote 23-0.**

## **WAYS AND MEANS**

**HB 40**, requiring sanctions against hospitals for failing to report infection rates. **OUGHT TO PASS.**

Rep. David J Bettencourt for Ways and Means: This bill allows the commissioner of health and human services to impose an administrative fine upon any hospital for failure to report infection rates. The fine would be up to \$1,000 per day of non-compliance. All hospitals in New Hampshire are required to report infection rates to the department of health and human services under RSA 151:32-35. Data required under these RSAs excludes any identification of individual patients. This program was established effective July 1, 2007 but is not yet in operation. Hospitals are not yet reporting this information. The NH hospital association has stated that the hospitals are prepared to provide this information, but have not yet received needed guidance from the department as to reporting this information. The sponsors feel and the committee agrees that the possible imposition of fines would encourage the hospitals to report this important information on a timely basis. **Vote 19-0.**

**HB 97**, relative to the lottery commission's ability to make rules concerning the Multi-State Lottery Association. **OUGHT TO PASS.**

Rep. Susan G Price for Ways and Means: This bill was requested by the lottery commission. By allowing the lottery commission to engage in rulemaking with regard to the multi-state lottery association (MLSA) the New Hampshire lottery commission will be able to maintain flexibility and responsiveness to changes and improvements to the multi-state lottery system that the MSLA jointly proposes. **Vote 19-0.**

**HB 225**, relative to room and board scholarships for children of firefighters and police officers. **OUGHT TO PASS.**

Rep. John D Kelley for Ways and Means: The bill revises the statute on tuition waivers for

children of firefighters and police officers who died while in performance of their duties. The bill permits such children to apply for a scholarship to cover room and board costs to the extent of available funds. The fund shall be continually appropriated to the postsecondary education commission and established in the office of the state treasurer. The postsecondary education commissioner will actively seek gifts, grants and donations for the fund. **Vote 18-1.**

**HB 281-FN**, increasing the maximum amount of debt or damages for small claims actions and requiring mediation for small claims actions exceeding \$5,000 and establishing a fee for the cost of such mediation. **OUGHT TO PASS.**

Rep. Dennis P Vachon for Ways and Means: This bill increases the maximum amount of debt or damages for small claims actions from \$5,000 to \$7,500, requires mediation for small claims actions exceeding \$5,000, and establishes a fee of \$60 for such mediation. The small claims mediator would be paid \$60 for each case mediated. Although this new fee would be in addition to the normal filing fee, the total filing fee for small claims action would still be only \$115 which is less than the normal filing fee for a civil writ in district court (\$125) or superior court (\$175). The committee believes that the benefits to the public from being afforded the opportunity to resolve these types of cases without the necessity of having to hire an attorney far outweighs any financial burden which litigators might experience as a result of the additional fee. **Vote 20-0.**

**HB 330**, relative to life, accident, and health insurance. **OUGHT TO PASS.**

Rep. William G Johnson for Ways and Means: This bill was recommended by the insurance department to make technical and definitional changes to our insurance laws. While there is no change in the amount of individual fines, it does increase the total amount (or cap) on annual fines paid by one insurer for continued overdue payments. The department said that the increase in the cap will deter such late payers. **Vote 18-2.**

**HB 441-FN**, relative to CART providers and sign language interpreters. **OUGHT TO PASS.**

Rep. William G Johnson for Ways and Means: The sponsor demonstrated the need for sign language interpreters. The fund will be a depository for federal grants for educational cost and reimbursement for individuals who have completed their CART education and received their certification. The sponsor indicated that these funds are readily available from federal grants. No state funds will be used. **Vote 20-0.**

**HB 476-FN**, relative to modifying the quorum requirement and filing fees for the board of tax and land appeals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan G Price for Ways and Means: The board of tax and land appeals requested a reduction in a quorum requirement from four members to three members. This will reduce operating costs for the board without compromising operating efficiency of the board. The bill also repeals a requirement that the board's filing fees under the eminent domain procedure act be deposited in the highway fund. Fees will be deposited in the general fund. The committee declined to increase fees with the amendment. **Vote 19-0.**

**HB 598-FN**, relative to the regulation of auctioneers by the state board of auctioneers. **OUGHT TO PASS.**

Rep. Robert M Walsh for Ways and Means: This bill makes changes to the regulations of auctioneers licensed by the board of auctioneers. Changes included increasing the bond required by each licensee to \$25,000 from the present \$10,000 and providing to the board of auctioneers powers to request the courts to sanction noncompliant auctioneers and impose penalties up to \$10,000 or imprisonment or both. **Vote 18-0.**

**HB 608-FN**, establishing a committee to oversee the design and construction of a public works employee memorial for public works employees who died in the course of performing public duties. **OUGHT TO PASS.**

Rep. John D Kelley for Ways and Means: The bill establishes a committee to oversee the location, design, and construction of a public works employee memorial and to privately raise and expend all the funds necessary for its construction and maintenance. The memorial shall be for public works employees who were killed while performing public works duties on behalf of a municipality, a county, or the state. The gifts of money shall be placed in a special non-lapsing account in the state treasury. Any money remaining in the special account after the construction of the memorial

is completed shall be used for the care, maintenance, repair and additions to the memorial. **Vote 17-1.**

**HB 610-FN**, relative to consumer protection from certain practices of mortgage bankers, mortgage brokers, and mortgage loan originators and implementing the S.A.F.E. mortgage licensing act. **OUGHT TO PASS.**

Rep. William A Hatch for Ways and Means: This bill modifies certain rules to strengthen the ability of the banking commission to provide consumer protection in regards to mortgage bankers, brokers and mortgage loan originators. It also addresses implementing the S.A.F.E. (the Secure and Fair Enforcement) for mortgage licensing act. Mortgage originators will now be required to register and meet certain character as well as professional prerequisites, such as criminal records check, educational checks and testing. Each application has a license fee of \$100. This license may be transferred from one mortgage lender to another with a fee of \$50 provided it is done 15 days prior to the expiration. The requirements will be applied to all originators that do business in New Hampshire whether their company is based in or out of state. It also puts into practice some other provisions of the S.A.F.E. Act that will help the banking commission protect our citizens from the many unfair and costly practices of some of those who sell and have sold mortgages in this state. In addition, if we do not enact this type of legislation the federal government will use the S.A.F.E. Act to oversee this activity for the state without state input. The commissioner may assess fines and penalties not to exceed \$25,000 if it is found the originator has violated or failed to comply with any requirements of the S.A.F.E. Act. The majority agreed with the provisions of this bill and voted ought to pass. **Vote 17-1.**

**HB 654-FN**, relative to the dam maintenance revolving fund. **OUGHT TO PASS.**

Rep. David J Bettencourt for Ways and Means: This bill is enabling legislation that creates a mechanism to allow the dam maintenance revolving fund, which was created last session without such a mechanism, to accept private donations and other sources of funding. This legislation only pertains to the maintenance, repair, and construction of privately owned (and municipal) dams and does not appropriate any state funds, nor will it affect state revenues. The dam bureau believes there will soon be a federal grant program to which the fund can apply. In the end this bill boils down to a "housekeeping" measure. **Vote 18-0.**

## **WEDNESDAY, APRIL 8**

### **REGULAR CALENDAR**

#### **FINANCE**

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2010 and June 30, 2011. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

**Clerk's Note:**

**The Majority and Minority amendments for this bill will be available online as soon as possible and will be available in hard copy at the State House.**

Rep. Marjorie K Smith for the **Majority** of Finance: The proposed budget is largely the same as it came to us from the governor. There are, however, some key differences. Some of the differences are based on additional information not available to the governor at the time of his budget message. In the same way, we expect that the Senate will have access to additional information and will change HB 1 accordingly. The budget is a work in progress.

This budget fully funds education adequacy according to the formula signed into law last year and adds some funds to the university system and the community college system of New Hampshire. It also returns \$117 million to cities and towns from rooms and meals revenue which the governor

had been forced to eliminate in his budget.

The budget adds \$16 million to reduce the waiting list for services for developmentally disabled citizens. It restores a catastrophic illness program that gives payments of up to \$2,500 to 1,000 residents with cancer and other chronic diseases, a counseling program to prevent suicides, \$1 million for groups that help HIV/AIDS sufferers; supports family resource centers which assist at-risk families in the counties, and restores \$2 million to the cancer plan.

The budget increases spending for programs that treat alcohol and substance abuse in the community, enlists senior grandparents and volunteers in providing support to the community, increases funds for diversion programs to keep troubled juveniles from becoming criminally delinquent, and partially funds family planning services.

Tobey School was funded for an additional year, during which time the school must develop a plan for the future. The committee reduced overtime in Corrections in order to fund 20 positions eliminated in the governor's proposal. The committee concluded that corrections officers could do a better job under difficult circumstances if they are not working so many overtime hours.

Consistent with House action in support of the road toll increase (gas tax), we were able to provide additional funds to DRED and to Fish and Game via additional unrefunded road toll dollars in 2011.

The committee made significant and painful cuts in the operating budgets of every agency. In the area of information technology, largely because of difficulty in substantiating the reasons for significant increases in certain lines, the committee cut funding but, at the same time, gave agency heads authority to move funding around in order to compensate for these cuts.

The committee increased, only for the next two years, the employee and local employer contribution to the retirement fund.

The committee, in full agreement with the governor, maintained the balance in the revenue stabilization (rainy day) fund.

The Finance Committee relied on the Ways and Means Committee's revenue estimates which were about \$137.9 million below the governor's. The committee utilized \$200.7 million of federal funds to be used specifically for state fiscal stabilization purposes. These funds are an acknowledgement that at the very time our citizens require more assistance from the state our traditional revenue sources are generating fewer dollars than anticipated. **Vote 14-9.**

Rep. Neal M Kurk for the **Minority** of Finance: The minority has proposed a biennial budget that is realistic and provides essential services to the people of New Hampshire, such as health, justice, corrections and safety, while maintaining fiscal discipline. Every New Hampshire household has had to tighten its belt during these tough economic times. The state must do no less. Because our revenues have dropped significantly, the minority has reduced general fund spending in their budget for FY 2010/11 by 2.6%, compared with the current FY 2008/09 budget (which increased 17.5% over the previous budget). With great reluctance, the minority proposes significant reductions in the appropriations of every branch and department of state government. This will allow the state to live within existing revenues during the next two years and avoid the budget increase proposed by the majority. The minority's budget is balanced without any new or increased taxes and without using \$60 million in "one-time" monies, which gets us off to a bad start for the next budget. The minority's budget also avoids downshifting the state's budget problems onto the local property taxpayers. If fully funds \$50 million in municipal revenue sharing and \$83 million in building aid within current revenues, something the majority budget

fails to accomplish. Under the majority's budget, New Hampshire property taxpayers will have to pay \$133 million more in their local property taxes to balance the state's budget. Finally, the minority's budget maintains over \$50 million in the so-called "rainy-day" fund to preserve the state's advantageous bond rating.

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

**Clerk's Note:**

**The Majority and Minority amendments for this bill will be available online as soon as possible and will be available in hard copy at the State House.**

Rep. Marjorie K Smith for the **Majority** of Finance. This bill, referred to as the trailer bill, provides the statutory language necessary to make the budget work.

The governor had proposed changing the structure of the liquor commission so that it became an enterprise fund and had much more independence in making its business decisions. The committee was sympathetic to the purpose but did not agree that the commission had thought through the intended and unintended consequences of such a move. Therefore, the liquor commission expenditures and revenues which had been removed from the general fund were returned to the general fund. We did, however, take the advice of the consulting firm that worked with the governor's office to have the Liquor Commission focus on its core functions. As a result HB 2 moves liquor enforcement to the Department of Safety. The governor had included in HB 2 a complete restructuring of boards and commissions. The committee, after consulting with Executive Departments and Administration committee (ED&A), concluded that such a restructuring could indeed be beneficial but that such a change was a policy change and should not be made by the Finance committee. Therefore in HB 2 we establish a committee by which ED&A and Finance committee members could study the proposal and come back to the House in January with a recommendation.

With the support of the Ways and Means committee, the Finance committee agreed to the increase in the tobacco tax (generating \$57 million) and rooms and meals tax proposed by the governor. Reflecting house policy and supported by the Ways and Means and Public Works and Highways committees we included the road toll (gas tax) increase. These funds will go to a restricted account in the highway fund to be used exclusively for the construction, reconstruction and maintenance of state and municipal roads and bridges in the state. We estimate that for the biennium \$85 million will go to the state and \$30 million to local communities for 'betterment' and block grant aid for their roads and bridges from this increase.

The committee supported the governor's proposal of a gambling winnings tax (\$16 million), and supported the Ways and Means committee's proposal to freeze only for this biennium, the decrease in the insurance premium tax.

The committee added two new taxes. The first puts an 8% tax on estates larger than \$2 million (or \$4 million for a couple). This will affect only the wealthiest New Hampshire estates- barely 100 people per year. The estate tax will not affect 99% of the estates in New Hampshire. Every penny will be paid by individuals with at least \$2 million in assets or couples with \$4 million. It protects surviving spouses, because transfers between spouses are tax-free. For a couple with a \$5 million estate, the effective tax rate is less than 2%. There are important exceptions in the tax that protect family farms and small businesses. All charitable gifts are deductible.

The second important tax change in the budget is an expansion to our current Interest and Dividends tax. Today we have a 5% state tax on most forms of unearned income, including interest, dividends, and taxable annuities. This tax raised \$119 million last year. HB 2 helps small savers who currently pay the interest and dividends tax on modest bank accounts and stock holdings

because it more than doubles the amount of interest and dividends income that is not subject to tax, from the current \$2,400 to \$5,000 per person (or \$10,000 for a couple).

HB 2 extends this tax to include the largest source of unearned income: capital gains. Capital gains are the profits on the sale of assets like stocks, businesses, and real estate. Based on IRS data, more than 90% of this revenue will come from NH taxpayers who earn in excess of \$200,000 per year. The vast majority of taxpayers making less than \$60,000 would not pay this tax because their capital gains are below the threshold of \$5000 for a single person or \$10,000 for a couple. Capital gains on the sale of a primary residence are protected. There is a \$250,000 exemption (\$500,000 for a couple), and only gains above this amount are taxable.

HB 2 is now more than 50 pages long and this blurb highlights only the major changes. **Vote 14-9.**

Rep. Neal M Kurk for the **Minority** of Finance: The so-called "trailer bill" contains statutory changes necessary in order for the budget to work. The majority and minority agree on most of the changes to HB 2. However, in order to balance its budget, the majority imposed three new taxes, raised the rates on three existing taxes, and suspended a scheduled decrease in another tax to raise an additional \$259 million dollars. Without what the minority believes is the usual legislative process of committee and floor votes, these taxes included a new capital gains income tax rate of 5%, a new inheritance or "death" tax at a rate of 8%, and a new tax on gambling winnings at a rate of 10%. The majority would raise the rooms and meals to 8 3/4% and suspend a scheduled quarter point reduction in the insurance tax for the biennium. The majority is also raising, for the fourth time in five years, the cigarette tax by 35 cents to \$1.68 per pack. Raising taxes during a recession is just bad public policy. The minority balances its budget without any new or increased taxes. Taking millions of dollars out of the private sector inflicts further suffering on individuals who may have already lost their jobs, had their salaries and benefits reduced or face foreclosure on their homes. Individuals can't stimulate the economy with their spending because the state has more of their income, and they, in turn, have less to spend. Business, large and small, will see reduced cash flow, resulting in job cuts and delays in creating new jobs. We should not hurt individuals and businesses in a fragile economy. This is not the New Hampshire way, and the minority cannot support it.

**HB 344-FN**, establishing the number of associate justices of the superior court. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas L Buco for Finance: In 2005, a weighted caseload study calculated the need for 25.7 judges in the Superior Court system. There are currently 18.4 judges in the system. HB 344-FN proposed to add two associate judges and two court monitors. The bill would increase state expenditures by \$247,466 in FY 2010, \$494,214 in FY 2011, \$503,661 in FY 2012, and \$513,815 in FY 2013. Due to the current financial shortfalls in state revenue, these changes have been removed from the judicial branch budget for the FY 2010-2011 budget and therefore the committee recommends ITL. **Vote 24-0.**

**HB 391**, authorizing the department of transportation to convey a portion of interstate highways to the bureau of turnpikes, redefining the eastern New Hampshire turnpike, increasing the aggregate amount of bonds the state may issue, and authorizing the department of transportation to install open road tolling. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Marjorie K Smith for Finance: This bill, if passed by the House, authorizes the NH department of transportation, acting on behalf of the state, to convey to the NH bureau of turnpikes a portion of I-95 (1.6 miles from the Portsmouth Traffic Circle to the Maine border) and authorizes the building of open road tolling on I-95 Hampton north and south toll and improvements and construction to the Blue Star Memorial Highway and Spaulding Turnpike, repair and improve the bridge on Route 107 over I-95 in Seabrook, construction of the Newington-Dover Little Bay Bridge project and increases the aggregate amount of bonds the state may issue. The committee, with the support of the Public Works and Highways Committee added construction of noise barriers along I-95 in Portsmouth and corrected certain cost figures. **Vote 25-0.**

**HB 420-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cynthia J Dokmo for Finance: This bill permits a member of group II, who has retired due to an on the job injury and is receiving a disability pension, to earn income without restriction once years of service combined with years receiving pension benefits reaches 20 years. Currently, there is a lifetime cap on the amount that can be earned for those retirees. The committee recognizes that had the employee not been injured on the job, he or she would not have a cap on earnings when he or she served the necessary time. The amendment requires the retired disabled employee to have reached the age of 45, as must other group II employees. **Vote 23-1.**

**HB 468-FN-L**, relative to caps on total billings by the state to the counties for nursing home care. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fran Wendelboe for Finance: When legislation was passed changing the funding for nursing homes to a county obligation, there were caps put in place to protect the counties from an uneven growth in expense as compared to the cost of juvenile justice that the state took over. The main concern was a growing elderly caseload as compared to a declining youth population. Caps are put into the budget to protect county taxpayers. Since budgets can be changed and knowing that if these protections are not in place, a lawsuit is likely to ensue, the committee believes it important to pass a stand alone bill to show clear legislative intent. **Vote 25-0.**

**HB 590-FN**, relative to the retirement age for group II members. **OUGHT TO PASS.**

Rep. Cynthia J Dokmo for Finance: This bill increases the retirement age for group II retirement system members and state employees who begin employment on or after July 1, 2009. As of that date, a group II member shall not be eligible for retirement until he or she has worked at least 25 years and shall be at least 50 years of age. **Vote 22-1.**

**HB 632-FN**, relative to including fully certified police officers of the New Hampshire hospital campus force in group II of the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Neal M Kurk for Finance: This bill would move police officers of the New Hampshire hospital campus security force from group I in the NH retirement system into group II. A number of years ago, when the supervision of this security force was changed from the department of health and human services to the department of safety, the department of safety assured the legislature that, due to the nature of their work, members of the hospital security force would not be included in group II, even as they became certified officers. Since that time, nothing has changed to cause the committee to re-examine the situation, and so it recommends that the bill be inexpedient to legislate. **Vote 21-4.**

## **PUBLIC WORKS AND HIGHWAYS**

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

Rep. David B Campbell for Public Works and Highways: The governor's capital budget, as submitted to the committee, authorized capital expenditures totaling 140.188 million dollars in general fund bonding, including the bonding of 83.701 million dollars for the state's contribution to local school building aid. The House capital budget, as unanimously recommended by the committee, authorizes 127.47 million dollars in general fund bonds, and leverages an additional 94 million dollars in federal match and grant monies over and above the budget as presented to the committee. This total is below the 130 million dollars general fund bonding capacity limit recommended by the state treasurer to the House.

The committee was unanimous in affirming a long-standing legislative policy that school building aid does not belong in the capital budget. To bond the full biennial payment of local school building aid would have consumed 2/3 of the general fund bonding capacity for the State of New Hampshire. School building aid payments by the state have tripled over the past ten years and, if left in the capital budget in the future, would eventually entirely eliminate the general fund bonding capacity for any state capital projects.

One of the top priorities of the committee in rewriting the capital budget was to keep the state's continuing commitment to fund biennially the renovation of two community career technical centers (formerly called vocational-technical centers), based on a priority list generated by the department of education. This year the top two high school districts are Governor Wentworth Regional in Wolfeboro and Littleton, which are allotted a total of 15.8 million dollars. The committee also funded additional critical maintenance projects for the post-secondary NH community college system, a new radiological training facility at NHTI in Concord and the purchase and renovation of a new building in Keene by adding a total of 6.5 million dollars.

The committee emphasized throughout this capital budget critical repair, renovation and construction projects that could be completed within the next two years. As amended, this capital budget expends over 150 million dollars in new construction projects in all 10 counties and in over 20 different communities throughout the state. The result of this added construction is, in fact, a 150 million dollar state-generated stimulus package that meets critical state capital construction needs and maximizes the capture and expenditure of federal dollars. By comparison, the recent federal stimulus program allocated 129 million dollars to New Hampshire for road and bridge work. As an additional criterion, the committee largely chose construction projects (from over 209 million general fund dollars in department requests) that either reduced state operating expenditures or produced additional revenue.

Some of the major new construction projects added by the committee include: A \$2.5 million state bond that brings in 51 million federal dollars for infrastructure and renovations at 11 municipal airports in Berlin, Wakefield, Lebanon, Laconia, Claremont, Keene, Concord, Nashua, Manchester, Rochester and Portsmouth; authorization of \$865,000 in state bonding to complete the land purchase in Pembroke for the Adjutant General, which will allow the construction of a 34 million dollar National Guard training center 100% funded by a Homeland Security grant. This facility will be used to train National Guardsmen from across the country; \$14.5 million to Hampton Beach State Park for a new hatch shell and bathroom complex, which is estimated to generate an additional \$2.6 million annually in direct state taxes, which does not include liquor and lottery sales or the local economic impact; a \$15 million renovation of the Tobey School at the Gallen Office Park in Concord which will allow the consolidation of state boards and offices; \$4.8 million for a new liquor store in Nashua, on the existing Coliseum Avenue site, estimated to increase liquor sales by 25% or \$3 million per year; one million dollars in state-owned rail bridge repairs in Lebanon, Laconia and Concord; \$465,000 at the Dover Point DMV substation to enable a consolidation with the current Rochester facility; further consolidation of DMV facilities from Milford, Merrimack and Nashua, including the EZ-Pass Service Center, which will be accomplished by renovating the Welcome Center at Exit 6 in Nashua, while a small bus station will be built at the Exit 8 Park; and the 35 million dollar biennial funding of capital construction projects for the University of New Hampshire which continues to be funded per prior legislative authority ("KEEP").

During the current economic recession, these construction projects will create jobs for dozens of small and large general contracting and building-related businesses and employ hundreds of workers throughout the state. The committee worked diligently to fairly spread these new and needed capital and construction projects throughout New Hampshire, *"from Coos (\$67,000 in repairs for the 155 year old Tip Top building on the summit of Mt. Washington) to the Sea"* (\$1 million for the Hampton Beach sea wall). **Vote 17-0.**

## **WAYS AND MEANS**

**HB 211-FN**, relative to drivers' licenses and relative to the definition of "drivers' school."  
**OUGHT TO PASS.**

Rep. Ron J Mack for Ways and Means: This bill implements a \$3.00 fee for any new drivers' licenses issued due to the holders change of address. The majority of the committee felt that the fee was a fair and reasonable amount to cover the additional renewable service. **Vote 17-3.**

**HB 383**, relative to passenger restraints. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William A Hatch for the **Majority** of Ways and Means: This bill requires passenger restraint use by all motor vehicle operators and passengers unless specifically exempt by law. The committee amended the bill to reduce the fines by 50%; \$50 to \$25 for the 1st offense and \$100 to \$50 for the 2nd or subsequent offense. **Vote 11-7.**

Rep. David J. Bettencourt for the **Minority** of Ways and Means: The haste to command mandatory seat belt use in the name of "safety" has neglected to adequately examine the potential negative fiscal impact that this legislation could have on New Hampshire. Outside of the promised federal funds the state would receive for compelling seat belt use, there has been no effort to determine the cost this legislation could have on the localities and the state in dealing with deaths caused by wearing seat belts. Additionally, the minority is concerned about the potential for hidden costs that could equal or exceed the revenue we would receive from the federal government. A bill such as this should not be considered without a thorough analysis of incidents and costs. Such a study has yet to take place.

**HB 392-FN**, establishing an on-premises cigar, beverage, and liquor license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank V Sapareto for Ways and Means: This bill allows smoke shops and smoking parlors to allow for the consumption of alcohol at the stores where 60% of sales or more comes from cigar sales. The committee felt that allowing alcohol at the shops would enhance their business and create revenue, jobs, and business opportunities within the industry. It was further felt that the highest fees would be inappropriate for such small establishments as those shops that exist in the state are much smaller than the average cocktail lounge or bar. It was decided that a fee of \$840 for a license of this sort was commensurate with alcohol fees in other licenses. **Vote 16-2.**

**HB 407-FN**, establishing a lobster and crab landing license, and increasing the fee for the nonresident commercial salt water license. **OUGHT TO PASS.**

Rep. David R Boutin for Ways and Means: This bill establishes a new license for landing lobster and crabs in New Hampshire that are caught outside state waters and increases the non-resident saltwater commercial license fee. The fees will be comparable to fees presently charged in Maine and Massachusetts to New Hampshire residents landing lobsters in those states. This bill was supported by both the New Hampshire commercial fisherman's association and the advisory committee on marine fisheries. **Vote 16-2.**

**HB 481-FN-A**, establishing a recreational saltwater license for taking finfish in coastal and estuarine waters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dennis P Vachon for Ways and Means: This bill establishes a recreational saltwater license issued by the fish and game department to individuals, charter boats, and party boats taking finfish in coastal and estuarine waters. As amended, the annual fees established by this bill are \$15 for resident and nonresident individuals, \$75 for charter boats and other for hire vessels, except party boats which would cost \$150. The fish and game department provided testimony demonstrating that the proposed fees are at the lower end of the fees which would otherwise become payable to the federal government if the state does not have a saltwater fishing license system in place by January 1, 2011. The committee agrees that these fees are reasonable and would rather see the assessment support fisheries management and enforcement as well as coastal habitat protection in the State of New Hampshire than be paid over to the federal government. **Vote 15-3.**

**HB 601-FN**, relative to claims for compensation from the victims' assistance fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ron J Mack for the **Majority** of Ways and Means: This bill simply raises the limit of recovery from the victim's assistance fund from \$10,000 to \$30,000. This program is funded by approximately 40% state restricted expenditures from the penalty assessment fund and approximately 60% from federal funds. The committee feels that there are sufficient monies in the fund to allow this increased recovery limit and the minor expansion to the rare illegal alien who is enslaved and brought to this country by traffickers. **Vote 10-8.**

Rep. David J Bettencourt for the **Minority** of Ways and Means: The minority understands that the scope of the Ways and Means committee is to analyze the fiscal impact of this legislation on revenues and the state budget. As such, we are deeply concerned about the effect this legislation would have fiscally on New Hampshire since it expands access to the victim's assistance fund to "individuals who are not citizens of the United States or who are not legal aliens." The minority stand firmly behind the principle that barring extenuating circumstances state services should not be extended to those who are not United States citizens. The minority is also concerned about what this expansion to the fund could mean for revenues and the state budget. Additionally, this legislation expands the time frame for filing claims for the fund, which the department of justice states will result in "information from the application process being stale which will require additional staff time to process." Expanding access to the victim's assistance fund to illegal immigrants and further straining staff duties in the department of justice are two fiscally related issues in this legislation that the minority believes make this legislation imprudent at this time.

**HB 647-FN**, relative to motor vehicle fines and violations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W Almy for the **Majority** of Ways and Means: This bill came from the oversight commission on motor vehicle fines and corrects an imbalance in our speeding laws. Under current law, speeding 30 mph above the speed limit on a rural road or even in front of a school brings a lower fine than speeding at that level on the interstate. The commission recommended equalizing the fines to the interstate level so as not to send the wrong message about speeding. That includes leaving in place a statutory fine for driving 1-10 mph above speed limit, which is rarely if ever enforced.

The committee amendment with the support of the policy committee and the department of safety, sets a cap on the speeds and fines above which the person ticketed must appear in court, and rewords the fines as base amounts, exclusive of a separately calculated penalty assessment. Penalty assessments change, and this avoids having to rewrite the law each time. The amendment also has a change proposed by the department of safety and approved by the policy committee which says that youth operators and those with prior convictions for speeding, reckless driving or driving to endanger must appear in court. **Vote 12-6.**

Rep. David J Bettencourt for the **Minority** of Ways and Means: The minority understands that it is important to promote safe road ways and that firm penalties can assist in ensuring safety, particularly within school zones and residential areas. However, the minority also believes that there is a clear distinction between stiff penalties and excessive penalties. While the committee amendment makes this legislation considerably more palatable by reducing several of the proposed fines, it still doubles or more than doubles three different penalty assessment categories for speed. Most glaringly, under this legislation, a driver may be fined \$120 for exceeding one to 10 miles per hour over the speed limit; the fine was previously \$50. Again, the minority stands firm behind the principle that speed limits must be followed and enforced, but the increases in fines proposed in this legislation are extreme and unnecessary.

## NOTICE

### LEGISLATIVE ETHICS COMMITTEE

#### DRAFT PROPOSED AMENDMENTS TO THE ETHICS GUIDELINES

The Legislative Ethics Committee has scheduled a public hearing on the following draft amendments to the Ethics Guidelines on Monday, **April 13**, 2009, at 10:00 a.m. in Room 103 of the State House.

Legislative Ethics Committee

Explanation: Matter added to the current guidelines appears in ***bold italics***.

Matter removed from the current guidelines appears ~~[in brackets and struckthrough]~~.  
Matter tentatively added appears in **underlined bold italics** followed by an asterisk {\*}.  
Matter tentatively removed appears ~~[in brackets and struckthrough]~~ followed by an asterisk {\*}.

## ETHICS GUIDELINES

### 2 DEFINITIONS.

- I. "Anything Of Value" includes but is not limited to the following:
- (a) A pecuniary item, including money, or a bank bill or note;
  - (b) A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
  - (c) A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
  - (d) A stock, bond, note, or other investment interest in an entity;
  - (e) A receipt given for the payment of money or other property;
  - (f) A cause of action;
  - (g) A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
  - (h) A loan or forgiveness of indebtedness;
  - (i) A work of art, antique, or collectible;
  - (j) An automobile or other means of personal transportation;
  - (k) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
  - (l) A promise of employment or continued employment;
  - (m) A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a public official or public employee, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public.
- II. "Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.
- III. *"Expense Reimbursement" shall mean any price, charge, fee, expense, or other cost which is waived, forgiven, reduced, prepaid, or reimbursed in any form for the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide conference, meeting, seminar or educational or informational program, when the source of such reimbursement is other than the state, a county, or the United States of America.*
- IV. *"Family Member" shall mean any person related to and living in the same domicile as a legislator, legislative officer, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.*
- ~~[[[~~ V. "Financial Interest" is a reasonably foreseeable direct material financial effect ~~[, distinguished from its effect on the public generally, on the legislator or his or her spouse]~~ ***[arising from a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting a business, profession, occupation, group, or matter enumerated in RSA 15-A:5, I(d) that results in a greater financial effect on you or a family member than it would on the general public]\* which is greater on the legislator, legislative officer, legislative employee, or a family member than on the general public.\****
- VI. (a) "Gift" shall mean:

*(1) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.*

*(2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value.*

*(b) Notwithstanding subparagraph (a), "gift" shall not mean:*

*(1) A political contribution as defined in RSA 664.*

*(2) A commercially reasonable loan, made in the ordinary course of business.*

*(3) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.*

*(4) A ceremonial plaque, award, or other commemorative object, which is personally inscribed to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$150 or less is presumed to be of inconsequential economic value.*

*(5) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.*

*(6) Money in any form, an object, or any tangible or intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.*

*(7) Wages, salary, benefits, mileage, or payment for expenses received by the person in his or her regular course of employment or business which is unrelated to the government position held.*

*(8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a county, or the United States of America related to performance of official duties.*

*(9) Tickets or free admission to a charitable, ceremonial, or political event provided that:*

*(A) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664; or*

*(B) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice, or which is a charitable organization pursuant to section 501(c)(3) of the federal tax code; or*

*(C) The event is published as an event open for attendance by any member of the general court in the calendar of the senate or the house.*

*(10) Meals, beverages, lodging, or transportation associated with attendance at:*

*(A) Any event for which the primary significance is ceremonial or celebratory, provided the event is public or, if by invitation only, is planned to have an attendance greater than 50 people; or*

*(B) Any event where the person is attending in an official capacity representing the state and/or the senate, house, or the agency of which the person is a member.*

*(11) Expense reimbursement or an honorarium.*

*(12) Meals and beverages consumed at a meeting or event, the purpose of which is to discuss official business.*

**VII. "Honorarium" means a payment in any form to a legislator, legislative officer, or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities . Honorarium does not include a payment for such activities for which the person is being compensated by the state, a county, the United States of America, or by any other employer or client, where the activity giving rise to the honorarium is not related to or associated with any public office or government employment.**

~~[IV.]~~ **VIII. "Immediate Family" includes a spouse, guardian, parent, sibling, child or dependent.**

~~[V.]~~ **IX. "Legislation" is a bill, resolution or constitutional amendment.**

~~[VI.]~~ **X. "Official Activities" is the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.**

**XI. "Official Business" means, for legislators, legislative officers, and legislative employees, the discussion or transaction of legislative business, namely, any official action or non-action with regard to any potential pending or existing bill, resolution, amendment, report, or study, any other matter pending or proposed in a committee or in either house of the general court, or an issue of public policy which is or may be the subject of legislative attention, or any other matter which is within the official jurisdiction or cognizance of the general court.**

### **3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.**

**{NOTE: IF 2009, SB155 BECOMES LAW, THE FORM PRESCRIBED IN THIS SECTION SHALL BE REPLACED IN ITS ENTIRETY WITH THE FINANCIAL DISCLOSURE FORM PRESCRIBED BY SB155}**

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee the following financial disclosure form ~~[on or before January 31 of each year]~~ **annually no later than the third Friday in January.\***

## **FINANCIAL DISCLOSURE FORM FOR STATE SENATORS, STATE REPRESENTATIVES AND OFFICERS OF THE GENERAL COURT**

Required by the Legislative Ethics Committee (RSA 14-B)

Name of Legislator/Officer \_\_\_\_\_  
(print name)

Address \_\_\_\_\_  
street town/city zip code

Office \_\_\_\_\_ County/District \_\_\_\_\_ Telephone Number \_\_\_\_\_

### ***I. Sources of Income***

Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you ~~or [your spouse]~~ **a family member** \* are or were an **employee**, officer, director, associate, partner, proprietor, ~~[employee]~~ or member, or served in any **professional or** advisory capacity, from which you or ~~[your spouse]~~ **a family member**\* derived any income (including retirement benefits other than federal retirement and/or disability benefits) in excess of \$10,000 during the preceding calendar year. **For purposes of this form a family member means a person related to you and living in the same domicile as you and who shares a common economic interest in the expenses of**

**daily living, including, but not limited to, a spouse, child, or parents.\***

- 1) a) Name of organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_
- 2) a) Name of organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_
- 3) a) Name of organization \_\_\_\_\_  
b) Address of organization \_\_\_\_\_  
c) Type of organization \_\_\_\_\_

(attach additional sheets if necessary)

~~[Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form.] [If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by [checking] **writing your initials** on the line below.]~~

**If you or a family member had no qualifying income, indicate by writing your initials on the following statement.\***

[My income does not qualify \_\_\_\_\_]\*

**My or my family member's income does not qualify \_\_\_\_\_.\***

~~[COMPLETION OF THIS SECTION IS OPTIONAL.]~~

~~[Disclosure and description below of your financial interest may eliminate the need to follow the conflict of interest procedure established in Section 5 of the Ethics Guidelines. If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with Section 5 of the Ethics Guidelines. See Section 5 of the Ethics Guidelines for information regarding particular conflicts of interest that you may have.]~~

## ***II. Disclosure of Financial Interests***

~~[IDENTIFY AND DESCRIBE BELOW ANY FINANCIAL INTEREST YOU OR YOUR SPOUSE MAY HAVE. FOR THIS SECTION, "FINANCIAL INTEREST" MEANS THAT A CHANGE IN THE LAW, A CHANGE IN ADMINISTRATIVE RULE, A DECISION WHETHER OR NOT TO AWARD A CONTRACT, GRANT A LICENSE OR PERMIT, DISCIPLINE A LICENSEE OR PERMITTEE, OR OTHER DECISION BY GOVERNMENT AFFECTING THE BUSINESS, PROFESSION, OCCUPATION, GROUP, OR MATTER DEALING WITH ANY OF THESE SUBJECTS LISTED BELOW WOULD POTENTIALLY HAVE A GREATER FINANCIAL EFFECT ON YOU OR YOUR SPOUSE THAN IT WOULD ON THE GENERAL PUBLIC.] \*~~

**Identify and describe below any financial interest you or a family member may have. An individual has a reportable financial interest in a business, profession, occupation, group or matter listed in this section if a change in law, administrative rule, or other official action by the general court affecting the listed business, profession, occupation, group, or matter would potentially have a greater financial effect on the individual reporting the financial interest or that individual's family member than it would on the general public.\***

**Please note: If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with section 5 of the Ethics Guidelines. See section 5 of the Ethics Guidelines for information regarding particular conflicts of interest you may have.\***

Do you or ~~[your spouse]~~ **a family member\*** have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? **For purposes of**

**this form a family member means a person related to you and living in the same domicile as you and who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.\*** Check any of the following which apply and describe the nature of your or your [spouse's] **family member's\*** financial interest:

- ☐ (a) any profession, occupation, or business licensed or certified by the State of New Hampshire  
\_\_\_\_\_
- ☐ (b) health care  
\_\_\_\_\_
- ☐ (c) insurance  
\_\_\_\_\_
- ☐ (d) real estate, including brokers, agents, developers, and landlords  
\_\_\_\_\_
- ☐ (e) banking or financial services  
\_\_\_\_\_
- ☐ (f) State of New Hampshire, county or municipal employment  
\_\_\_\_\_
- ☐ (g) the New Hampshire Retirement System  
\_\_\_\_\_
- ☐ (h) the current use land assessment program  
\_\_\_\_\_
- ☐ (i) restaurants and lodging  
\_\_\_\_\_
- ☐ (j) the sale and distribution of alcoholic beverages  
\_\_\_\_\_
- ☐ (k) the practice of law  
\_\_\_\_\_
- ☐ (l) any business regulated by the Public Utilities Commission  
\_\_\_\_\_
- ☐ (m) horse or dog racing, or other legal forms of gambling  
\_\_\_\_\_
- ☐ (n) education  
\_\_\_\_\_
- ☐ (o) water resources  
\_\_\_\_\_
- ☐ (p) agriculture  
\_\_\_\_\_
- ☐ (q) New Hampshire taxes: ☐ Business Profits Tax, ☐ Business Enterprise Tax,  
☐ Interest and Dividends Tax  
\_\_\_\_\_

☐ (r) other

*I hereby swear or affirm that* [T]the foregoing information is true **and complete** to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Legislator/Officer

Complete and return to the Legislative Ethics Committee no later than [January 31, \_\_\_\_.] **the third Friday in January.\***

{NOTE: If Senate Bill 155 of the 2009 legislative session becomes law, then section 3 of these guidelines shall be replaced with the following:}

### 3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee ~~[the following]~~ **a financial disclosure form pursuant to RSA 14-B:8 annually [on or before January 31 of each year] no later than the third Friday in January.\***

{NEW FORM TO BE SET FORTH IN FULL IN THIS SECTION FOR CONVENIENT REFERENCE}

### 4 PROHIBITED ACTIVITIES.

- I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:
  - (a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.
  - (b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the ~~[giver or another member of the legislature]~~ **legislator or the General Court.**
  - (c) In return for advice or other assistance relating to a legislator's official activities.
  - (d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.
  - (e) In return for an endorsement, nomination, appointment, approval or disapproval of any person for a position as, or advancement of, a public servant.
  - (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.

**(g) In violation of RSA 15-B.**
- II. Legislators shall not:
  - (a) Reveal information which the legislator has obtained confidentially in the course of his official activities.
  - (b) Reveal information about state agency operations or decisions which the legislator would not reveal to any member of the general public requesting such information.
  - (c) Threaten reprisals or promise inducements of any kind to influence another so as to obtain special personal benefits for the legislator, the legislator's immediate family, or for certain constituents which would not be available to others under similar conditions.
  - (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family, or to certain constituents which would not be available to others under similar conditions.

- III. Legislators shall not use their public position or office to obtain anything of value for the private benefit of the legislator or the legislator's immediate family.
- IV. Legislators shall not use state-provided services or facilities for private gain.
- V. Legislators shall not become involved in any official activity without complying with the conflict of interest procedure set forth in this document.
- VI. Legislators shall not engage in conduct that constitutes sexual harassment as defined in RSA 14-B:1.
- VII. Nothing in this section on prohibited activities should be construed to prohibit the following:
  - (a) The giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign.\*
  - (b) Assistance to constituents in their dealings with state agencies.
  - (c) Advocacy of a particular outcome on matters pending before a state agency when the legislator believes such a decision would benefit the general public or the legislator's constituents generally.
  - (d) Submission by a legislator of recommendations or references on behalf of a candidate for state employment when the legislator believes the candidate is qualified to be a suitable public employee.
  - ~~[(e) Acceptance of awards, prizes or other honors of a minimal value.]~~
  - ~~[(f) Acceptance of anything of value the receipt of which would otherwise be a violation of this section where the value is less than \$250.00 in aggregate from any single source during any calendar year.] \*~~
  - ~~[(g)]~~ (e) Acceptance of **expense** reimbursement ~~[or underwriting of actual]~~ **for the reasonable** expenses for **attendance**, registration, travel, **meals, and** lodging ~~and subsistence directly~~ related to ~~[attendance at]~~ a bona fide **conference, meeting, seminar, or educational or informational** ~~[or educational conference, seminar, or meeting,]~~ **program related to the legislator's office** so long as disclosure of any such reimbursement ~~[or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors,]~~ is made ~~[within 15 calendar days of the legislator's return from such conference (if expenses are underwritten) or, within 15 calendar days of reimbursement]~~ **no later than the last day of the month following the month during which the expense reimbursement was received.** This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B. ***This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.***
  - (f) ***Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.***
  - (g) ***Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event [pertaining to] the purpose of which is to discuss\* official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.***
  - (h) ***Acceptance of anything permitted to be accepted pursuant to RSA 15-B, except that acceptance of meals or beverages as permitted by subparagraph (g) shall be limited to \$250 in the aggregate from any single source during any calendar year. \****

## 5 CONFLICT OF INTEREST PROCEDURE.

- I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator *or the legislator's family member\** as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's *or family member's\** membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.
- II. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraph I are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):
  - (a) Declare that the legislator will not participate in any official activity associated with the issue.
  - (b) Declare that the legislator intends to participate in the official activity and will provide a description of the conflict of interest including:
    - (1) names of all entities, both public and private, which might be affected;
    - (2) the nature of any benefit which may accrue to the legislator *or legislator's family member\**;
    - (3) the nature of any financial interest in the issue;
    - (4) the nature of any relationship which existed, exists or may exist between the legislator and
    - (5) any person or entity which might be affected;
    - (6) such additional information as may be required to permit clear public awareness and understanding of the nature and extent of the conflict.
- III. The declaration required in subparagraphs II (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.

## 6 LEGISLATIVE EMPLOYEE CODE OF CONDUCT.

- I. General Principles of Conduct.
  - (a) A legislative employee or officer should view his or her work for the General Court as a public service and should strive to promote the common good of the citizens of the State of New Hampshire through the devotion of his or her professional talents and energies to the support of the General Court in its mission as the representative of the citizens of this state.
  - (b) A legislative employee or officer should act in a way that makes him or her worthy of the trust the General Court places in staff members and officers.
  - (c) A legislative employee or officer should provide objective advice, information, and alternatives to legislators, independent of the employee's or officer's personal beliefs or interests or the interests of third parties. A legislative employee or officer should avoid activities that conflict with this objectivity or give the appearance of conflict.
  - (d) A legislative employee or officer should treat all legislators with dignity and respect, and provide services of equal quality to the employee's or officer's appropriate legislative clientele.
- II. Definitions.
  - (a) "Legislative Employee" includes all house, senate, and joint staff whether employed on a part-time, full-time, permanent or temporary basis.
  - (b) "Legislative Officer" includes those employees of the House and Senate who are elected by members of the General Court.
- III. Prohibited Activities.
  - (a) *A legislative employee or officer shall not violate the provisions of RSA 15-B.*

- ~~[(a)]~~ (b) A legislative employee or officer shall not accept any gift from givers who wish to influence the work activities of the employee or officer.
- (c) A legislative employee or officer shall not accept any employment or serve in any position, in addition to legislative employment, which would impair the employee's or officer's independence of judgment.
- (d) Except within the scope of employment, a legislative employee or officer shall not provide any service to a lobbyist or any other person with a direct personal interest in any matter or action pending before the General Court.
- (e) Nothing in this paragraph should be construed to prohibit the following:
- (1) Acceptance of awards, prizes, honors, or gifts of a minimal value.
  - (2) Acceptance of informational material relevant to the employee's or officer's official function, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, or visual format.
  - (3) Acceptance of **expense** reimbursement ~~[or underwriting of actual]~~ **for the reasonable** expenses for **attendance**, registration, travel, **meals, and** lodging~~], and subsistence directly]~~ related to ~~[attendance at]~~ a bona fide **conference, meeting, seminar, or educational or** informational ~~[or educational conference, seminar, or meeting,]~~ **program related to the legislative employee's or officer's employment** so long as disclosure of any such reimbursement ~~[or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors,]~~ is made ~~[to the joint committee on legislative facilities or the fiscal committee of the general court as appropriate within 15 calendar days of the employee's or officer's return from such conference (if expenses are underwritten) or within 15 calendar days of reimbursement]~~ **no later than the last day of the month following the month during which the expense reimbursement was received.** This disclosure shall be **filed in the Office of the Secretary of State and shall be** in a form prescribed ~~[by the above cited committees and shall be made available to the public upon request]~~ **in RSA 15-B. This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.**
  - (4) **Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.**
  - (5) **Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event [pertaining to] the purpose of which is to discuss \* official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.**
  - (6) **Acceptance of anything permitted to be accepted pursuant to RSA 15-B, except that acceptance of meals or beverages as permitted by subparagraph (e)(5) shall be limited to \$250 in the aggregate from any single source during any calendar year.\***
- ~~[(b)]~~ (f) A legislative employee or officer shall not use or attempt to use the employee's or officer's official position to (a) personally obtain any privilege, exemption, special treatment or any other thing of value, or (b) obtain any such benefit for others except as required to perform duties within the scope of employment.

~~{{e}}~~ (g) A legislative employee or officer shall not accept or solicit anything of value for the private benefit of the employee or officer or the employee's or officer's immediate family under circumstances in which it can be reasonably inferred that the legislative employee's or officer's independence of judgment is impaired or is intended as a reward for any official action.

~~{{e}}~~ (h) A legislative employee or officer shall not use state-provided services or facilities for private gain.

~~{{e}}~~ (i) A legislative employee or officer shall not disclose confidential information acquired by reason of the employee's or officer's official position to any person or group not entitled to receive such information, nor shall the employee or officer use such information for personal gain or benefit or for the benefit of others.

~~{{e}}~~ (j) A legislative employee or officer shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the employee's or officer's supervisory officer.

IV. Disclosure Procedure. When a legislative employee or officer becomes aware that his or her participation in a particular activity presents a conflict of interest or conflicts with his or her objectivity or gives the appearance of a conflict, the employee or officer shall immediately make disclosure of this fact to his or her supervisory officer. All such reports shall be forwarded to the Chief of Staff of the House, the Chief of Staff of the Senate, the Director of the Office of Legislative Services, or Legislative Budget Assistant, as appropriate.

## HOUSE DEADLINES

|                          |                                                                                                   |
|--------------------------|---------------------------------------------------------------------------------------------------|
| Thursday, April 9, 2009  | Last day to act on House bills: CROSSOVER                                                         |
| Thursday, April 30, 2009 | Last day to report Senate bills going to a second committee                                       |
| Thursday, May 7, 2009    | Last day to act on Senate bills going to a second committee                                       |
| Thursday, May 28, 2009   | Last day to report all remaining Senate bills<br>Last day to report list of retained Senate bills |
| Thursday, June 4, 2009   | Last day to act on Senate bills                                                                   |
| Wednesday, June 10, 2009 | Last day to form Committees of Conference                                                         |
| Thursday, June 18, 2009  | Last day to sign Committee of Conference reports                                                  |
| Thursday, June 25, 2009  | Last day to act on Committee of Conference reports                                                |

## LAI D ON TABLE

**HB 197**, relative to apportionment of damages in civil actions. (Pending question is Ought to Pass.)

**HB 248-FN**, relative to establishing a single liquor commissioner. (Pending question is the committee report of Ought to Pass with Amendment.)

**HB 357**, relative to retention of special number plates for veterans by surviving spouses. (Pending question is the majority committee report of Ought to Pass with Amendment.)

**HB 398**, relative to the unauthorized use of firearms in the compact part of a city or town. (Pending question is the committee report of Ought to Pass.)

**HB 426-FN-A-LOCAL**, establishing the New Hampshire homestead plan. (Pending question is the motion of Ought to Pass.)

**HR 6**, affirming revenue estimates for fiscal years 2009, 2010, and 2011. (Pending question is

adoption of the motion of Ought to Pass.)

## COMMITTEE MEETINGS

### MONDAY, APRIL 6

#### **CITIZENS TRADE POLICY COMMISSION (RSA 19-L), Room 307, LOB**

9:00 a.m. Regular meeting.

#### **COMMISSION ON THE PREVENTION OF CHILDHOOD OBESITY (HB 1422, Chapter 219:1, Laws of 2008), Room 205, LOB**

3:15 p.m. Regular meeting.

#### **COMMISSION TO STUDY THE ISSUE OF STORMWATER MANAGEMENT (HB 1295, Chapter 71:1, Laws of 2008), Room 305, LOB**

1:00 p.m. Regular meeting.

#### **ELECTRONIC BALLOT COUNTING DEVICE ADVISORY COMMITTEE (HB 285, Chapter 134:1, Laws of 2008), HAVA Conference Room, Archives and Records Management Building, 71 South Fruit Street, Concord**

10:00 a.m. Regular meeting.

#### **HISTORICAL COMMITTEE (RSA 17-I), Room 100, State House**

11:00 a.m. Regular meeting.

### TUESDAY, APRIL 7

#### **CHILDREN AND FAMILY LAW, Room 206, LOB**

10:00 a.m. Full committee work session.

#### **COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

10:00 a.m. **SB 46**, relative to group life insurance.

11:00 a.m. **SB 92**, relative to the commission to study access to consumer credit for people in New Hampshire.

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB**

10:00 a.m. **SB 22-FN**, relative to criminal mischief committed against natural geological formations which have been designated as natural landmarks.

10:30 a.m. **SB 32**, relative to notice to a defendant of the availability of sentence review.

11:00 a.m. **SB 37**, relative to release of a defendant pending trial.

11:30 a.m. **SB 176-FN**, establishing an application fee for probationers and parolees who apply to be supervised in another state.

#### **EMERGENCY MANAGEMENT SYSTEM OVERSIGHT COMMITTEE (RSA 21-P:51), Room 307, LOB**

9:00 a.m. Regular meeting.

#### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

10:15 a.m. **SB 24**, relative to rulemaking by the board of natural scientists and the board of professional geologists.

11:00 a.m. **SB 49**, relative to the board of barbering, cosmetology, and esthetics.

1:00 p.m. **SB 165-FN**, relative to fire equipment service certification.

#### **HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB**

10:00 a.m. **SB 112**, establishing a commission to study community- and residential-based treatment programs for certain adults with developmental disabilities.

11:00 a.m. **SB 158**, establishing a commission to study the creation of an uncompensated care

- fund to provide payments to certain health care providers.
- 12:00 p.m. Subcommittee work session on ***SB 95***, relative to criminal records checks for volunteers.
- 1:00 p.m. Subcommittee work session on ***SB 185-FN***, relative to rates and charges for medical services to state prisoners.
- 2:00 p.m. Subcommittee work session on ***SB 66-FN***, relative to repealing the joint health council and changing the title of ARNPs.

**JUDICIARY, Room 208, LOB**

- 11:00 a.m. Subcommittee work session on ***SB 52***, making technical corrections to laws relative to courts and court procedures.
- 11:30 a.m. Subcommittee work session on ***SB 106-FN***, establishing a program for mediation of civil writs in the district court and funding the program with a surcharge on the filing fee for civil writs.

**LEGISLATIVE ADMINISTRATION, Room 104, LOB**

- 4:00 p.m. ***SB 183-FN***, relative to the number of daily journals printed by the house and senate clerks.
- 4:15 p.m. ***SB 155***, relative to financial disclosure by legislators.

**MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

- 10:00 a.m. Rescheduled public hearing on ***SB 121***, establishing a commission to study potential revenue enhancements for municipalities.
- 10:30 a.m. Rescheduled public hearing on ***SB 29***, relative to review of developments of regional impact.
- 11:00 a.m. Rescheduled public hearing on ***SB 93***, relative to the exemption from subsequent local land use regulation where substantial development has begun on an approved plan.
- 11:45 a.m. ***SB 189***, relative to decisions of local land use boards.

**TRANSPORTATION, Room 203, LOB**

- 10:00 a.m. Informational meeting with the Commissioner, Department of Transportation and staff.
- 11:15 a.m. ***SB 58***, relative to the use of alternating flashing lights on highway maintenance vehicles.
- 11:30 a.m. ***SB 109***, relative to certification of excess weight vehicles.
- 12:00 p.m. ***SB 111***, authorizing the governor to appoint a public member to the rail transit authority.
- 12:15 p.m. ***SB 133-FN***, authorizing purple heart special number plates for veterans still on active duty.
- 12:30 p.m. ***SB 82-FN***, eliminating fees for plates and registration for certain veterans and authorizing purple heart special number plates for veterans on active duty.

## **THURSDAY, APRIL 9**

**ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), Room 304, LOB**

- 8:30 a.m. Public sector working group.

## **FRIDAY, APRIL 10**

**GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 102, LOB**

- 1:00 p.m. Regular meeting.

**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB**

9:30 a.m. Regular meeting.

## MONDAY, APRIL 13

### COUNCIL TO STUDY THE RELATIONSHIP BETWEEN PUBLIC HEALTH AND THE ENVIRONMENT (RSA 125-P), Room 205, LOB

9:30 a.m. Regular meeting.

### ELDERLY AFFAIRS (RSA 17-H:2), Room 207, LOB

10:00 a.m. Regular meeting.

### ETHICS COMMITTEE (RSA 14-B:2), Room 103, State House (Please note room change.)

10:00 a.m. Public hearing on draft proposed amendment to the Ethics Guidelines and regular meeting.

## TUESDAY, APRIL 14

### CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Informational session - NH Association for Justice.

11:00 a.m. Informational session – NH Child Advocacy Center Network.

### COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. **SB 30**, relative to notice of rights under the manufactured housing law.

11:00 a.m. **SB 193**, relative to the interest rate on small loans and relative to the definition of lender for purposes of regulating such loans.

### EDUCATION, Room 207, LOB

10:00 a.m. **SB 149**, relative to the transition of functions and amending the reporting requirements of the community college system of New Hampshire and making an appropriation therefor.

10:30 a.m. **SB 204**, relative to postsecondary educational assistance for New Hampshire national guard members and excluding certain entities that license software from the definition of private postsecondary career school.

11:00 a.m. **SB 180-FN**, establishing an accountability system to ensure the opportunity for an adequate education and repealing the legislative committee on costing an adequate education.

### ELECTION LAW, Room 308, LOB

10:00 a.m. **CACR 9**, relating to term of office. Providing that beginning with the 2012 general election, there shall be a 4-year term of office for governor.

10:30 a.m. **SB 157**, relative to the procedure for listing candidates on election ballots and establishing a citizen-funded election task force.

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:15 a.m. **SB 131**, relative to state hiring of veterans.

11:00 a.m. **SB 171-FN**, relative to competency evaluations.

### FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

10:00 a.m. Informational meeting concerning Fish and Game performance audit report.

### HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

10:00 a.m. **SB 199**, establishing a committee to study the training of public safety officials to respond to persons with mental illness.

11:00 a.m. **SB 114**, relative to the threshold for notification for lead levels and a window replacement program.

1:00 p.m. Subcommittee work session on **HB 493**, adopting the uniform emergency volunteer health practitioners act.

**LEGISLATIVE ADMINISTRATION, Room 104, LOB**

4:00 p.m. Executive session on ***SB 155***, relative to financial disclosure by legislators, ***SB 183-FN***, relative to the number of daily journals printed by the house and senate clerks.

**WEDNESDAY, APRIL 15**

**EDUCATION, Bow Elementary School, 22 Bow Center Road, Bow**

9:00 a.m. School visit.

**ELECTION LAW, Room 308, LOB**

9:30 a.m. Executive session on ***SB 157***, relative to the procedure for listing candidates on election ballots and establishing a citizen-funded election task force, ***CACR 9***, relating to term of office. Providing that beginning with the 2012 general election, there shall be a 4-year term of office for governor, ***SB 118***, relative to assistance in voting

**TRANSPORTATION, Room 203, LOB**

9:30 a.m. Executive session on ***SB 58***, relative to the use of alternating flashing lights on highway maintenance vehicles, ***SB 82-FN***, eliminating fees for plates and registration for certain veterans and authorizing purple heart special number plates for veterans on active duty, ***SB 109***, relative to certification of excess weight vehicles, ***SB 111***, authorizing the governor to appoint a public member to the rail transit authority, ***SB 133-FN***, authorizing purple heart special number plates for veterans still on active duty.

**THURSDAY, APRIL 16**

**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 103, State House**

3:00 p.m. Regular meeting.

**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

10:00 a.m. Continued public hearing on ***SB 147-FN***, relative to the data collection practices of health care providers and relative to the development of an uninsured health care database.

11:00 a.m. ***SB 63-FN***, relative to ensuring consumer access to care upon the termination of a participating provider.

1:00 p.m. ***SB 119***, relative to provider contract standards.

2:00 p.m. ***SB 138-FN***, relative to insurance coverage for telemedicine services.

**ENVIRONMENT AND AGRICULTURE, Room 308, LOB**

10:00 a.m. ***SB 13***, declaring the chinook the state dog of New Hampshire.

11:00 a.m. ***SB 137-FN-A***, relative to animal population control.

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

9:30 a.m. Tour of New Hampshire Hospital and the Philbrick Center.

**SCIENCE, TECHNOLOGY AND ENERGY JOINT WITH SENATE ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT COMMITTEE, Room 304, LOB**

1:00 p.m. Briefing by Independent System Operator (ISO) New England.

**FRIDAY, APRIL 17**

**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB**

9:00 a.m. Regular meeting.

**COMMISSION TO RECOMMEND POLICIES AND PROGRAMS RELATED TO INCREASING THE NUMBER OF NEW HAMPSHIRE INDIVIDUALS IN HEALTH PROFESSIONS SERVICING RURAL AND UNDERSERVED AREAS WITH A FOCUS ON PRIMARY CARE (HB 1615, Chapter 367:3, Laws of 2008), Room 205, LOB**

10:00 a.m. Regular meeting.

**FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB**

9:00 a.m. Regular business.

**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), The Willows, Families in Transition, Manchester**

9:30 a.m. Regular meeting.

**GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 102, LOB**

10:00 a.m. Special hearing in the matter of Marie Dubreuil.

**MONDAY, APRIL 20**

**ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street ( Medical and Surgical Building), Concord**

9:00 a.m. Low income housing subcommittee meeting.

**COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATER OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008), Room 305, LOB**

1:00 p.m. Regular meeting.

**COMMISSION TO STUDY THE AUTHORITY TO PRACTICE OR PROVIDE HEALTH AND MEDICAL CARE IN THE EVENT OF THE DECLARATION OF A STATE OF EMERGENCY (SB 512, Chapter 271:9, Laws of 2008), Room 205, LOB**

1:00 p.m. Regular meeting.

**DEVELOPMENTAL DISABILITY AND ACQUIRED BRAIN DISORDER WAITLIST AND SERVICES FUND ALLOCATION OVERSIGHT COMMITTEE (RSA 171-A:1-c), Room 103, State House**

1:00 p.m. Regular meeting.

**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 205, LOB**

10:00 a.m. Regular meeting.

**TUESDAY, APRIL 21**

**EDUCATION, Room 207, LOB**

10:00 a.m. **SB 26**, relative to degree granting authority for St. John International University.

**LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB**

3:00 p.m. Regular business.

**THURSDAY, APRIL 23**

**COMMISSION TO DEVELOP ALTERNATIVES TO THE DISPOSAL OF MEDICAL SHARPS IN HOUSEHOLD WASTE (HB 1502, Chapter 259:2, Laws of 2008), Room 304, LOB**

2:00 p.m. Regular meeting.

**GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 103, State House**

3:00 p.m. Public comment hearing - procedural revisions to guardian ad litem rules.

**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R), Upham Walker House, Park Street, Concord**

2:00 p.m. Regular meeting.

**MONDAY, APRIL 27**

**INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 103, State House**

9:00 a.m. Rescheduled regular meeting.

**OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB**

9:00 a.m. Regular meeting.

**OFFICIAL NOTICES**

**COUNTY DELEGATION NOTICE**

**Rockingham** County Executive Committee will hold its First Quarter Budget Review Meeting on Friday, **May 1** at 9:30 a.m. in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood.

Rep. David A. Welch, Clerk  
Rockingham County Executive Committee

**REVISED FISCAL NOTES**

The following House Bill has revised fiscal notes: HBs 30, 31, 41, 52, 56, 64, 69, 90, 112, 140, 166, 168, 174, 187, 205, 216, 223, 240, 256, 279, 281, 282, 313, 348, 384, 391, 392, 419, 423, 426, 436, 441, 460, 468, 481, 490, 538, 564, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 608, 610, 617, 627, 628, 629, 630, 632, 633, 637, 638, 639, 640, 641, 642, 643, 644, 647, 650, 651, 652, 653, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 668, 670, 672, 673, 674, 675, 676, 677, 678, 685, 689, 696. SBs 25, 28, 39, 65, 79, 100, 107, 135, 163, 165, 170, 180.

Karen O. Wadsworth, Clerk of the House

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When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses as requested.

Rep. Marcia Moody, 1 Maple Street, Newmarket, New Hampshire 03857-1803.

Colleagues who so desire may send cards and greetings to the address listed above.

Karen O. Wadsworth, Clerk of the House

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**MEMBERS' NOTICES**

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

\*\*\*\*\*

Legislative Briefing: Breakfast and Cross-Over Politics!

All legislators and staff are cordially invited to mingle with a diverse selection of NH's leading labor, environmental, social and citizen advocacy organizations on Wednesday, **April 8<sup>th</sup>** from 7:30 to 9:00 a.m. in Room 100, State House. Staff and key leaders will be on hand to discuss issue priorities and legislative briefings on cross-over bills. A light breakfast will be served. For a listing of organizations, visit <http://www.granitestateprogress.org/page/s/breakfast4809>.

Rep. John DeJoie

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The NH Association of REALTORS cordially invite all legislators and staff to a reception at the Holiday Inn on Thursday, **April 9** beginning at 3:00 p.m. or following session. Look forward to seeing you there.

Reps. Mary Jane Wallner and Sherman A. Packard

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All House members and staff are invited to join Governor Lynch and Dr. Susan Lynch as they recognize New Hampshire's participation in National Healthcare Decisions Day. Please come to a brief event in the Executive Council Chamber, Thursday, **April 16** at 11:00 a.m. Refreshments will be served. New Hampshire organizers are asking interested individuals to help raise awareness about the importance of advance care planning on this special day-and throughout the year.

Reps. Alida I. Millham and Laurie Harding

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The New Hampshire Preservation Alliance, together with the NH Department of Education and other partners, is pleased to invite legislators to A Forum on School Building Aid and Siting Policies: Opportunities for New Hampshire on Thursday, **April 16** from 3:00 to 4:30 p.m. Presentation by national advisor and architect Royce Yeater to be followed by discussion with representatives from the Department of Education, The Jordan Institute and AIA NH. Refreshments will be served. NH Historical Society Library, 30 Park Street, Concord.

Rep. Mary Jane Wallner

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Bring the whole family to the grounds of the NH Fish and Game Department Headquarters, 11 Hazen Drive in Concord on Saturday, **April 18** from 10:00 a.m. to 3:00 p.m. for Discover WILD New Hampshire Day. This 20<sup>th</sup> annual community conservation education event is being sponsored in conjunction with the NH Department of Environmental Services. It's a free fun-filled day of activities for the whole family, with lots to see – and even more to do. Try your hand at archery, learn to cast a fishing line, or find your way with a map and compass. Build a duck box, tie a fly, do a wildlife craft activity, take a nature walk or learn how to landscape for wildlife. The list is endless. "The Ways of the Woods Traveling Museum" is offering a look at the rich culture and history of our Northern Forest. Visit the Discovery Room and see if you can discover the various wildlife mounts including a mother moose and her calf. Meet Smokey Bear, trained falcons, live trout and salmon and numerous types of wildlife. More than 35 exhibitors from an array of nature, environmental and conservation organizations will be on hand, rain or shine, to help you learn about NH's wildlife, habitat and natural resources. Remember: Free admission. For more information call 271-3211 or visit [www.wildnh.com](http://www.wildnh.com)

Rep. Robert J. L'Heureux

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The Long Term Care Caucus will meet on Monday, **April 20<sup>th</sup>** at 3:00 p.m. in Room 205, LOB. The agenda includes a discussion of current regulations, statutes and policies affecting the delivery of long term care services and supports. All Representatives and interested parties are encouraged to attend. Contact Kate Miller at 279-4764 or [kate.miller@leg.state.nh.us](mailto:kate.miller@leg.state.nh.us) for additional information.

Rep. Kate W. Miller

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April 2009 has been designated as "Strengthening Families Month" by Governor John H. Lynch. In support of this, Family Support New Hampshire (FSNH) cordially invites legislators to attend a Legislative Luncheon on **April 21** from 12:00 noon to 1:30 p.m. at St. Paul's Church, 21 Centre Street, Concord. Together we served more than 26,000 NH families last year. Learn how our partnership strengthens our communities and saves taxpayer dollars. Our 20 minute program will include a brief history of FSNH, two testimonials from parents and data which demonstrates the positive outcomes of family support programs. Reps. Barbara French and Mary Stuart Gile along with Sen. Sheila Roberge will provide closing remarks. Presented in partnership with NH Children's Trust Fund, Wellness and Primary Prevention Council and NH Division for Children, Youth and Families. Please RSVP by April 14<sup>th</sup> to 224-1279 or [info@nhctf.org](mailto:info@nhctf.org).

Reps. Mary Stuart Gile and Barbara French

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The NH Women's Alliance and the NH Commission on the Status of Women will be hosting our 1<sup>st</sup> Annual Girls Day at the Statehouse on **April 30<sup>th</sup>** from 9:30 a.m. to 2:30 p.m., bringing 50 girls to the Statehouse to raise awareness of the governmental process and to put a personality and face to some of our legislators. The program will include the opportunity for the girls to attend public hearings, shadow a legislator, view a presentation on Susan B. Anthony, and have a question and answer lunch with legislators. Please contact Nikki Murphy at 603-978-1032 or [nikki@nhwomenslobby.org](mailto:nikki@nhwomenslobby.org) if you would like to join the festivities!

Rep. Carla M. Skinder

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All legislators and staff are cordially invited to attend *Spring Celebs* hosted by the NH Women's Lobby on Wednesday, **May 13<sup>th</sup>** from 5:30 to 7:30 p.m. at the Capital Center for the Arts. At our 21st annual Spring Celebs we will be awarding those who are so diligently working on behalf of women and families in New Hampshire. Join us for drinks, light fare, and fun with friends! Cost of event is \$25.00 for members and \$35.00 for the public. Please RSVP to Nikki Murphy at 603-978-1032 or [nikki@nhwomenslobby.org](mailto:nikki@nhwomenslobby.org).

Rep. Carla M. Skinder

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The Main Street Republicans will meet every Tuesday at 8:30 a.m. in Room 212, LOB. All Republicans are welcome.

Rep. Cynthia J. Dokmo

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The House Republican Alliance will meet every Tuesday at 8:30 a.m. at the Upham Walker House, Park Street, Concord.

Rep. Nancy J. Elliott

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NH OWLS will meet the third Thursday of every month at 3:00 p.m. at the Upham Walker House. Guest Speakers will be announced. If you know a non-traditional student who would like to apply for an OWL Scholarship, applications are available on the 4<sup>th</sup> floor of the LOB. Applications must be returned by April 15, 2009.

Rep. Nancy F. Stiles

## STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **April 2009**. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the remainder of the school year and subject to changes. **Please contact the Visitors' Center concerning school tour booking information.** Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

Caitlin A. Daniuk, Public Information Administrator

| <u>DATE</u> | <u>TIME</u>          | <u>GROUP</u>                                   | <u>Size/Grade</u> |
|-------------|----------------------|------------------------------------------------|-------------------|
| Apr. 6      | 9:30                 | Maple Avenue School – Goffstown                | 50/4              |
| Apr. 6      | 10:30                | Birch Hill Elementary School                   | 75/4              |
| Apr. 7      | 9:30                 | Maple Avenue School – Goffstown                | 50/4              |
| Apr. 8      | 9:30                 | Maple Avenue School – Goffstown                | 50/4              |
| Apr. 8      | 11:00                | Josiah Bartlett School – Junior Honor Society  | 50/8              |
| Apr. 8      | 11:00                | Nashua Christian Academy                       | 15/4              |
| Apr. 9      | 10:00/11:30<br>SH/HM | Nottingham West School – Hudson                | 80/4              |
| Apr. 10     | 10:00/11:30<br>SH/HM | Nottingham West School – Hudson                | 80/4              |
| Apr. 10     | 1:00                 | Finishers Fellowship                           | 20/Adult          |
| Apr. 13     | 9:30                 | Hinsdale Elementary School                     | 38/4              |
| Apr. 13     | 10:30                | Alstead Primary School                         | 21/4              |
| Apr. 13     | 11:00                | Paul School – Wakefield                        | 50/4              |
| Apr. 13     | 3:30                 | Nashua Girl Scouts                             | 10/3&4            |
| Apr. 14     | 10:00/11:30<br>SH/HM | Crescent Lake School – Wolfeboro               | 90/4              |
| Apr. 15     | 9:45/11:00<br>SH/PM  | Loudon Elementary School                       | 75/4              |
| Apr. 15     | 11:30                | New Franklin School – Portsmouth               | 45/4              |
| Apr. 15     | 2:00                 | Dover Area Senior Center                       | 15/Adult          |
| Apr. 16     | 8:30                 | Alvirne High School – French Exchange Students | 24/HS             |
| Apr. 16     | 10:00/11:30<br>SH/HM | Garrison Elementary School – Dover             | 106/4             |
| Apr. 16     | 11:00                | Christian Bible Church Academy – Nashua        | 11/7&12           |
| Apr. 17     | 9:00                 | New Hampton Elementary School                  | 33/4              |
| Apr. 17     | 9:30/10:30           | DAR                                            | 100/Adult         |
| Apr. 17     | 10:00/11:30<br>SH/SC | Hollis Upper Elementary School                 | 88/4              |
| Apr. 20     | 9:45/11:00<br>SH/HM  | Hooksett Memorial School                       | 95/4              |

|         |             |                                                                     |          |
|---------|-------------|---------------------------------------------------------------------|----------|
| Apr. 21 | 9:45        | Thornton's Ferry School – Merrimack                                 | 44/4     |
| Apr. 21 | 11:30/12:30 | Little Harbor School – Portsmouth                                   | 66/4     |
|         | HM/Planet   |                                                                     |          |
| Apr. 22 | 9:30        | Chester Academy                                                     | 33/8     |
| Apr. 22 | 11:00       | St. Francis of Assisi School – Litchfield                           | 50/4     |
| Apr. 22 | 1:30        | Lycee Lumiere from Luxeuil                                          | 35/HS    |
| Apr. 23 | 9:30/11:00  | Thornton's Ferry School – Merrimack                                 | 66/4     |
|         | SH/HM       |                                                                     |          |
| Apr. 23 | 10:30       | Ossipee Central School                                              | 46/4     |
| Apr. 24 | 9:45/11:00  | Hooksett Memorial School                                            | 75/4     |
|         | SH/HM       |                                                                     |          |
| Apr. 24 | 11:30       | General Federation of Women's Clubs of<br>New Hampshire             | 35/Adult |
| Apr. 28 | 9:30/11:00  | Henry Wilson School – Farmington                                    | 110/4    |
|         | SH/HM       |                                                                     |          |
| Apr. 29 | 10:00/11:30 | Mastway Elementary School – Lee                                     | 88/4     |
|         | SH/HM       |                                                                     |          |
| Apr. 30 | 9:30/11:00  | Canaan Elementary School                                            | 65/4     |
|         | SH/HM       |                                                                     |          |
| Apr. 30 | 10:10       | Girls Day at the State House – Commission<br>on the Status of Women | 50/5&6   |
| Apr. 30 | 12:00       | Cornish Elementary School                                           | 15/4     |

## WEDNESDAY, APRIL 8

### AMENDMENTS

(LISTED IN NUMERICAL ORDER)

2009-1177h

#### Amendment to HB 25-FN-A

#### Proposed by the Committee on Public Works and Highways - R

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

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

I. Adjutant General.

|                                                       |                 |
|-------------------------------------------------------|-----------------|
| A. Statewide- Fire Alarm & Life Safety Upgrade        | \$320,000       |
| Less Federal                                          | <u>-160,000</u> |
| Net state appropriation subparagraph A                | 160,000         |
| B. D&E Storage Buildings- Additional Power & Lighting | 282,000         |
| Less Federal                                          | <u>-141,000</u> |
| Net state appropriation subparagraph B                | 141,000         |
| C. Roof Materials & Systems Replacement               | 590,000         |
| Less Federal                                          | <u>-295,000</u> |
| Net state appropriation subparagraph C                | 295,000         |
| D. NHARNG-Training Site Water & Sewer                 | 250,000         |
| Less Federal                                          | <u>-250,000</u> |
| Net state appropriation subparagraph D                | 0               |
| E. Manchester-Underground Storage Tank Repairs        | 50,000          |
| Less Federal                                          | <u>-25,000</u>  |
| Net state appropriation subparagraph E                | 25,000          |

|                                                                                                                                                             |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| F. National Guard Training Facility- Pembroke                                                                                                               | <u>865,000</u>     |
| Total state appropriation paragraph I                                                                                                                       | \$1,486,000        |
| II. Department of Administrative Services.                                                                                                                  |                    |
| A. Bureau of Court Facilities.                                                                                                                              |                    |
| 1. Hillsborough County North - Asbestos Abatement                                                                                                           | \$17,000,000       |
| 2. Hillsborough County South - Roof Replacement                                                                                                             | 507,000            |
| 3. Northern Carroll County New Roof                                                                                                                         | 130,000            |
| 4. Manchester District Renovate Family Division                                                                                                             | 120,000            |
| 5. Master Plan for Courts                                                                                                                                   | 450,000            |
| 6. Supreme Court Parking Lot                                                                                                                                | 394,295            |
| 7. Supreme Court ADA Access                                                                                                                                 | 275,000            |
| 8. Hillsborough County North-Renovate -Lead Certification                                                                                                   | <u>30,000</u>      |
| Total state appropriation subparagraph A                                                                                                                    | 18,906,295         |
| B. Bureau of General Services.                                                                                                                              |                    |
| 1. Johnson Hall Renovations/Repairs                                                                                                                         | 53,000             |
| 2. LOB Critical Maintenance                                                                                                                                 | 2,900,000          |
| 3. Morton Building New Roof                                                                                                                                 | 650,000            |
| 4. DHHS Replace Chillers, Tower Repairs                                                                                                                     | 780,000            |
| 5. Johnson Hall New Roof                                                                                                                                    | 198,000            |
| 6. State House Ice Stop System                                                                                                                              | 88,000             |
| 7. State Library-Repaint Brick, Internal Repairs                                                                                                            | 1,580,000          |
| 8. State House Cafeteria and Corridor, Floors, Kitchen                                                                                                      | 150,000            |
| 9. Storrs Street Garage Repairs                                                                                                                             | 1,016,000          |
| 10. 4 State Buildings-Cafeteria Fire Systems                                                                                                                | <u>42,000</u>      |
| Total state appropriation subparagraph B                                                                                                                    | 7,457,000          |
| C. Bureau of Facilities and Asset Management.                                                                                                               |                    |
| 1. Bow Brook Pond Dredging & Dam Stoplog                                                                                                                    | 1,100,000          |
| 2. Dolloff Building Drainage Improvements                                                                                                                   | 80,000             |
| 3. Main Building Bakery Roof Repair                                                                                                                         | 210,000            |
| 4. Hugh Gallen Ofc Pk Parking                                                                                                                               | 250,000            |
| 5. Tobey Building Renovation, State Office Space                                                                                                            | 15,600,000         |
| 6. Tobey Building Parking Deck                                                                                                                              | 3,500,000          |
| 7. Hugh Gallen Ofc Pk Main Building Rumford Egress Stair<br>and Interior Stairwell                                                                          | <u>305,000</u>     |
| Total state appropriation subparagraph C                                                                                                                    | 21,045,000         |
| D. Bureau of Public Works Design and Construction.                                                                                                          |                    |
| 1. State Capitol Complex Master Plan *                                                                                                                      | <u>100,000</u>     |
| Total state appropriation subparagraph D                                                                                                                    | 100,000            |
| * For the appropriation in subparagraph D, 1 the bureau shall hire consultants and provide support to the commission established in section 13 of this act. |                    |
| E. Statewide Projects.                                                                                                                                      |                    |
| 1. State Owned Facilities-Energy & Lighting Improvements                                                                                                    | 3,000,000          |
| 2. All State Owned Facilities-Emergency Repairs                                                                                                             | 1,000,000          |
| 3. ERP-Information Technology-Phase II                                                                                                                      | <u>1,417,202</u>   |
| Total state appropriation subparagraph E                                                                                                                    | <u>5,417,202</u>   |
| Total state appropriation paragraph II                                                                                                                      | \$52,925,497       |
| III. Community College System.*                                                                                                                             |                    |
| A. Critical Maintenance                                                                                                                                     | <u>\$3,000,000</u> |
| B. Radiology-NHTI Concord, McRury Hall Rehab.                                                                                                               | 3,500,000          |
| C. Purchase and Renovate Roosevelt School Building – Keene                                                                                                  | <u>1,950,000</u>   |
| Total state appropriation paragraph III                                                                                                                     | \$8,450,000        |

\* The community college system shall report quarterly beginning October 1, 2009 to the department of administrative services, bureau of public works design and construction, and the

capital budget overview committee on the status of the projects authorized in paragraph III.

IV. Department of Corrections.

|                                                       |                |
|-------------------------------------------------------|----------------|
| A. Women's Prison & Transitional Housing- site/design | \$2,300,000    |
| B. MSU, Dorms, CCU, SPU, MCS, MCN-Repair Bathrooms    | 325,000        |
| C. Residential Treatment Unit Phase 2                 | 3,650,000      |
| D. Admin East Wing-Upgrade Electric Wiring            | 79,000         |
| E. MSU & Admin Bldg-Replace Sprinkler System          | 390,000        |
| F. Stormwater/Sewer System-EPA order #05-13           | 575,000        |
| G. SHU Tunnel-Replace & Move Sewer Lines & Duct Work  | <u>150,000</u> |
| Total state appropriation paragraph IV                | \$7,469,000    |

V. Department of Education.

|                                                                              |                     |
|------------------------------------------------------------------------------|---------------------|
| A. Pre-Engineering Technology                                                | \$400,000           |
| B. Regional Career and Technical Education<br>Center, State Share- Wolfeboro | 7,786,552           |
| C. Regional Career and Technical Education<br>Center, State Share *          | <u>8,000,000</u>    |
| Total state appropriation paragraph V                                        | <u>\$16,186,552</u> |

\* The sum appropriated to the department of education in subparagraph C shall be expended for renovation/construction of one CTE center as follows: (a) first, for a Littleton center provided the project is authorized by the Littleton school district for such purpose not later than March 31, 2010; if the Littleton center is not approved then (b) for a Laconia center provided the project is authorized by the Laconia school district for such purpose not later than March 31, 2010; or if neither the Littleton nor Laconia centers are approved then (c) for a CTE center at Pinkerton Academy, Derry.

VI. Department of Environmental Services.

|                                                 |                   |
|-------------------------------------------------|-------------------|
| A. WRBP Wastewater Treatment Plant Improvements | \$8,750,000       |
| Less Other *                                    | <u>-8,750,000</u> |
| Net state appropriation subparagraph A          | 0                 |
| B. Drinking Water SRF Matching Funds            | <u>1,774,720</u>  |
| Total state appropriation paragraph VI          | \$1,774,720       |

\*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$8,750,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the Winnepesaukee River basin control replacement fund established in RSA 485-A:51.

VII. Department of Health And Human Services.

|                                                     |                    |
|-----------------------------------------------------|--------------------|
| A. Brown Building Lamott Wing-Fire Alarm            | \$176,000          |
| B. Above Ground Oil Storage Compliance              | 92,000             |
| C. Strategic Plan for Legacy Systems                | 500,000            |
| Less Federal                                        | <u>-250,000</u>    |
| Net state appropriation subparagraph C              | 250,000            |
| D. Facility Study-Plant Infrastructure Efficiencies | 175,000            |
| E. Incremental Renewal of HEIGHTS Phase 1           | 4,000,000          |
| Less Federal                                        | <u>-2,059,600</u>  |
| Net state appropriation subparagraph E              | <u>1,940,400</u>   |
| Total state appropriation paragraph VII             | <u>\$2,633,400</u> |

VIII. Liquor Commission.

|                                          |                  |
|------------------------------------------|------------------|
| A. Hampton North Roof Replacement        | \$220,000        |
| B. Build Liquor Store - Nashua           | <u>4,800,000</u> |
| Total state appropriation paragraph VIII | \$5,020,000      |

IX. Police Standards and Training Council.

|                          |           |
|--------------------------|-----------|
| A. Electrical Generators | \$740,000 |
|--------------------------|-----------|

|                                        |                 |
|----------------------------------------|-----------------|
| Less Other *                           | <u>-740,000</u> |
| Net state appropriation subparagraph A | 0               |
| B. Indoor Firearms Range Retrofit      | 700,000         |
| Less Other *                           | <u>-700,000</u> |
| Net state appropriation subparagraph B | 0               |
| Total state appropriation paragraph IX | \$0             |

\*To provide funds for the appropriations made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,440,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the police standards and training council training fund established in RSA 188-F:30.

|                                                         |                    |
|---------------------------------------------------------|--------------------|
| X. Department of Resources and Economic Development.    |                    |
| A. Statewide Roofs and Park Repairs                     | \$1,200,000        |
| B. Mount Washington Tip Top House Repairs               | 67,000             |
| C. Hampton Seashell and 2 Bathhouses                    | 14,500,000         |
| D. Hampton Beach Sea Wall Project                       | <u>1,000,000</u>   |
| Total state appropriation paragraph X                   | \$16,767,000       |
| XI. Department of Revenue Administration.               |                    |
| A. Tax System 2010                                      | <u>\$7,000,000</u> |
| Total state appropriation paragraph XI                  | \$7,000,000        |
| XII. Department of Transportation.                      |                    |
| A. FAA Projects                                         | 53,635,000         |
| Less Federal                                            | <u>-51,135,000</u> |
| Net state appropriation subparagraph A                  | 2,500,000          |
| B. Public Transit Bus Matching Funds                    | 333,000            |
| C. Airport Navigation Equipment                         | 105,000            |
| D. Coos County Rail Improvements                        | 850,000            |
| E. State-Owned Rail Bridge Repair                       | <u>1,000,000</u>   |
| Total state appropriation paragraph XII                 | \$4,788,000        |
| XIII. Veterans' Home.                                   |                    |
| A. Life Safety Infrastructure Upgrades                  | \$7,200,000        |
| Less Federal                                            | <u>-4,680,000</u>  |
| Net state appropriation subparagraph A                  | 2,520,000          |
| B. Master Plan                                          | 100,000            |
| C. Central Shipping and Receiving/Multi-purpose Center* | 1,000,000          |
| Less Federal                                            | <u>-650,000</u>    |
| Net state appropriation subparagraph C                  | <u>350,000</u>     |
| Total state appropriation paragraph XIII                | <u>\$2,970,000</u> |

\* The appropriation in subparagraph C shall not be expended until receipt of the federal funds for the project.

|                                     |               |
|-------------------------------------|---------------|
| Total state appropriation section 1 | \$127,470,169 |
|-------------------------------------|---------------|

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

|                                                    |                |
|----------------------------------------------------|----------------|
| I. Department of Safety.                           |                |
| A. DMV VISION Project Continuation                 | 8,305,000      |
| B. Dover Point DMV Substation                      | <u>465,000</u> |
| Total state appropriation paragraph I              | \$8,770,000    |
| II. Department of Transportation.                  |                |
| A. Underground Fuel Tank Replacement, Statewide    | \$3,000,000    |
| B. Radio Equipment Replacement, Statewide          | 600,000        |
| C. Replacement of Automated Fueling System-Phase 2 | 500,000        |

|                                                |                    |
|------------------------------------------------|--------------------|
| D. TMC Equipment Room Fire Suppression         | 185,000            |
| E. Park/Ride Exit 8, F.E. Everett Turnpike*    | 300,000            |
| F. Nashua DMV, EZ Pass Customer Service**      | \$250,000          |
| G. Energy/Environmental Renovations, Statewide | <u>500,000</u>     |
| Total state appropriation paragraph II         | <u>\$5,335,000</u> |

\* The appropriation in subparagraph E shall be for the state share of the \$1,450,000 project funded from CMAQ funds, provided however that the appropriation shall be reduced by the amount of any turnpike funds designated for the project, any credit for land purchased by the department, or by any other department funds for the project.

\*\* The appropriation in subparagraph F shall be a 50/50 match for turnpike or other department funds designated for the project.

|                                     |              |
|-------------------------------------|--------------|
| Total state appropriation section 2 | \$14,105,000 |
|-------------------------------------|--------------|

3 Appropriation; Fish and Game Department. The sums hereinafter detailed are appropriated for the projects specified:

|                                           |                  |
|-------------------------------------------|------------------|
| I. Headquarters Roof Replacement          | \$205,000        |
| II. Regional Facilities-Maintenance Needs | 100,000          |
| III. Point of Service for Registration    | <u>400,000</u>   |
| Total state appropriation section 3       | <u>\$705,000</u> |

4 Expenditures; General. The appropriations made for the purposes mentioned in sections 1, 2, and 3 of this act and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

5 Land Acquisition. Any land acquired under the appropriations made in sections 1, 2, and 3 of this act, if any, as may be acquired under the appropriation except such land if any as may be acquired for the water resources board, shall be purchased by the commissioner of department of transportation or the commissioner of administrative services, as appropriate, with the approval of governor and council.

6 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$142,280,169 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

#### 7 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in section 1 shall be made when due from the general funds in the state.

II. The payment of principal and interest on bonds issued for the projects in section 2 shall be made from the highway fund.

III. The payment of principal and interest on bonds issued for the projects in section 3 shall be made from the fish and game fund.

8 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1, 2, and 3 of this act beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 6 of this act shall be reduced by the same amount.

9 Transfers. The individual project appropriations provided in sections 1, 2, and 3 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and

council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget overview committee is obtained.

10 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1, 2, and 3 of this act is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 6 of this act shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

11 Bureau of Public Works Design and Construction; Construction Inspection Services. The appropriations for those projects which are managed by the bureau of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services for those projects included in sections 1, 2, and 3 of this act.

12 Department of Health and Human Services; 2007 Appropriation; Purpose Changed. Amend 2007, 264:1, IX, D to read as follows:

D. [Replacement of Huntress and Lodge Houses] ***Construction of  
Community Residence\****

976,000

***\* For the project authorized in subparagraph D, if a community location is not available, then the new community residence may be constructed on the Hugh Gallen state office park south campus. The department may seek matching federal, local, or private funds to supplement these funds. Before any funds are expended, the department of health and human services shall submit a plan to the capital budget overview committee for its approval.***

13 State Capitol Complex Master Plan Commission.

I. There is established a commission to study and propose a state capitol complex master plan.

II. The members of the commission shall be as follows:

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

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

(c) One member appointed by the governor.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall establish a master plan for the state house, legislative office building, state house annex, the now or former Laconia savings bank site which is owned by the state, the state library, state historical society, Upham-Walker house and the Storrs street garage. The commission shall consider: the optimal long-term use of these buildings, the best disposition and location of the state library, parking requirements, and the renovations, buildings, or structures necessary to enact the master plan. The commission shall also consider the feasibility, cost, and benefit of its recommendations.

V. The department of administrative services shall provide support to the commission and shall hire consultants using funds appropriated in this act to assist the commission.

VI. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall continue a quorum.

VII. The commission shall report its master plan and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.

14 2007 Capital Budget; Department of Environmental Services; Dam Repairs; Footnote

Amended. Amend 2007, 264:1, VII, F to read as follows:

F. Dam Repairs, Removal and Reconstruction\*

1,810,000

\*The sums appropriated in subparagraph F shall be for the following projects: Pittsfield Mill dam, Waumbek dam, Pleasant Lake dam, Mendums Pond dam, Highland Lake dam, Perkins Pond dam, and Milton 3 pond. The department of environmental services ~~may~~ **shall** complete the projects authorized by contract construction in accordance with the procedures of the bureau of public works design and construction, or by force account under RSA 482. The department is authorized to reallocate appropriated funds as necessary to address emergencies or alternate repairs or reconstruction needs at other dams if delays in other projects occur. Any contract must be approved by the capital budget overview committee and the governor and council.

15 Lapse Dates Extended to June 30, 2011. The following appropriations are hereby extended to June 30, 2011:

1. The appropriation made to the adjutant general in 2003, 240:1, I, A, as extended by 2005, 259:25, II, as amended by 2006, 272:2, A, and as extended by 2007, 264:29, II, for armory renovations, disposals, or land acquisition.

2. The appropriation made to the adjutant general in 2003, 240:1, I, D, as extended by 2005, 259:25, V and 2007, 264:29, III, for joint service training facility design.

3. The appropriation made to the adjutant general in 2005, 259:1, I, C, as extended by 2007, 264:29, VI, for re-roofing building F & L.

4. The appropriation made to the adjutant general in 2007, 264:1, I, A, for armory - roofing projects.

5. The appropriation made to the adjutant general in 2007, 264:1, I, B, for armory - statewide auxiliary power.

6. The appropriation made to the adjutant general in 2007, 264:1, I, C, for armory - alarm fire systems.

7. The appropriation made to the adjutant general in 2007, 264:1, I, D, for NHSVC - columbarium expansion.

8. The appropriation made to the adjutant general in 2007, 264:1, I, E, for 195th training institute land acquisition.

9. The appropriation made to the adjutant general in 2007, 264:1, I, F, for regional training institute construction.

10. The appropriation made to the adjutant general in 2007, 264:1, I, H, for pole barn - veterans' cemetery.

11. The appropriation made to the department of administrative services - bureau of court facilities in 2003, 240:1, II, A, 1, as extended by 2005, 259:25, VII and by 2007, 264:29, VII, for architectural and engineering - Hampton district court.

12. The appropriation made to the department of administrative services - bureau of court facilities in 2005, 259:1, II, A, 2, as amended by 2007, 264:14, and as extended by 2007, 264:29, IX, for Cheshire & Merrimack county courthouse design, Keene district court design & renovate temporary space.

13. The appropriation made to the department of administrative services - financial data management in 2003, 240:1, II, C, 2, as extended by 2005, 259:25, XVI and 2007, 264:29, XIX, for enterprise resource planning.

14. The appropriation made to the department of administrative services in 2006, 258:16, I, as extended by 2007, 264:29, XXI, for quality assurance evaluation, monitoring & reporting related to the implementation of the ERP system.

15. The appropriation made to the department of administrative services in 2007, 264:1, II, A, 3 for Merrimack district courthouse.

16. The appropriation made to the department of administrative services in 2007, 264:1, II, B, 1 for state house annex - renovate restrooms.

17. The appropriation made to the department of administrative services in 2007, 264:1, II, B, 2 for state house, state library and legislative office building – maintenance and repointing.

18. The appropriation made to the department of administrative services in 2007, 264:1, II, B,

3 for safety building - replace HVAC chillers.

19. The appropriation made to the department of administrative services in 2007, 264:1, II, B, 7 for legislative office building - replace ice stop system.

20. The appropriation made to the Christa McAuliffe planetarium commission in 2003, 240:1, III, H, as extended by 2005, 259:25, XVII, as amended by 2007, 264:21, and as extended by 2007, 264:29, XXII, for Christa McAuliffe planetarium - Alan Shepard memorial wing.

21. The appropriation made to the department of corrections in 2005, 259:1, IV, A, as extended by 2007, 264:29, XXVII, for electronic security upgrades-men's prison.

22. The appropriation made to the department of corrections in 2007, 264:1,V,A, for electronic security upgrades-men's prison.

23. The appropriation made to the department of corrections in 2007,264:1,V,C, for structural wall and beam repair-men's prison.

24. The appropriation made to the department of corrections in 2007,264:1,V,G, for residential treatment unit, phase 1-Concord.

25. The appropriation made to the department of education in 2001, 130:14, II, as extended by 2003, 240:34, XC, 2005, 259:25, XXI, and 2007, 264:29, XXIX, for information technology projects.

26. The appropriation made to the department of education in 2005, 259:1, V, A, as extended by 2007, 264:29, XXXI, for renovation regional career and tech ed center, Concord.

27. The appropriation made to the department of education in 2007, 264:1, VI, A, for renovation regional career and tech ed center-Exeter.

28. The appropriation made to the department of education in 2007, 264:1, VI, B, for renovation regional career and tech ed center-Manchester.

29. The appropriation made to the department of education in 2007, 264:1, VI, C, for pre-engineering technology.

30. The appropriation made to the department of environmental services in 2003, 240:1, V, A, as extended by 2005, 259:25, XXVIII and 2007, 264:29, XXXV, for hazardous waste superfund match.

31. The appropriation made to the department of environmental services in 2003, 240:1, V, C, as extended by 2005, 259:25, XXX and 2007, 264:29, XXXVII, for waste water SRF matching funds.

32. The appropriation made to the department of environmental services in 2005, 259:1, VI, A, as extended by 2007, 264:29, XXXVIII, for dam repairs, removal and reconstruction.

33. The appropriation made to the department of environmental services in 2005, 259:1, VI, B, as extended by 2007, 264:29, XXXIX, for drinking water SRF matching funds.

34. The appropriation made to the department of environmental services in 2005, 259:1, VI, C, as extended by 2007, 264:29, XL, for wastewater SRF matching funds.

35. The appropriation made to the department of environmental services in 2005, 259:1, VI, D, as extended by 2007, 264:29, XLI, for bedrock aquifer monitoring.

36. The appropriation made to the department of environmental services in 2005, 259:1, VI, F, as extended by 2007, 264:29, XLII, for north country Gorham office.

37. The appropriation made to the department of environmental services in 2007, 264:1, VII, A, for the drinking water SRF matching funds.

38. The appropriation made to the department of environmental services in 2007, 264:1, VII, B, for the wastewater SRF matching funds.

39. The appropriation made to the department of environmental services in 2007, 264:1, VII, C, the hazardous waste superfund match.

40. The appropriation made to the department of environmental services in 2007, 264:1, VII, D, for technical services - air monitoring program.

41. The appropriation made to the department of environmental services in 2007,264:1, VII, E, for stream gauges.

42. The appropriation made to the department of environmental services in 2007, 264:1, VII, F, for dam repairs, removal and reconstruction.

43. The appropriation made to the department of environmental services in 2007, 264:1, VII, G, for Gorham office repairs and renovations.

44. The appropriation made to the fish and game department in 2005, 259:3, II, as extended by 2007, 264:29, XLVI, for hatchery system modernization.
45. The appropriation made to the fish and game department in 2005, 259:3, III, as extended by 2007, 264:29 XLVII, for dam reconstruction.
46. The appropriations made to the department of health and human services in 2007, 264:1, IX, A and B, for main building - asbestos and lead paint abatement.
47. The appropriation made to the department of health and human services in 2003, 240:11, as extended by 2007, 264:29, XLVIII, for secure facility for committed and detained juveniles.
48. The appropriation made to the department of health and human services in 2005, 259:1, VII, C, as extended by 2007, 264:29, LIV, for state office park south – electrical system upgrade.
49. The appropriation made to the department of health and human services in 2005, 259:1, VII, D, as extended by 2007, 264:29, LV, for water damage repair of buildings - Glencliff.
50. The appropriation made to the department of health and human services in 2007, 264:1, IX, C, for Brown building patient room floor abatement - Glencliff.
51. The appropriation made to the department of health and human services in 2007, 264:1, IX, D, as amended by section 12 of this act for construction of community residence.
52. The appropriation made to the department of health and human services in 2007, 264:1, IX, E, for roof replacement and electrical upgrade - Twitchell building.
53. The appropriation made to the Pease development authority by 2007, 264:1, XII, A, as amended by 2008, 5:1, for market street marine terminal pier.
54. The appropriation made to the Pease development authority by 2007, 264:1, XII, B, as amended by 2008, 5:1, for Rye harbor commercial fish pier.
55. The appropriation made to the department of resources and economic development in 2003, 240:1, VIII, D, as extended by 2005, 259:25, XXXVIII and 2007, 264:29, LXII, for Mount Washington electrification.
56. The appropriation made to the department of resources and economic development in 2005, 259:1, IX, E, as extended by 2007, 264:29, LXIII, for Mount Washington electrification.
57. The appropriation made to the office of information technology in 2005, 259:1, X, A, as extended by 2007, 264:29, LXIV, for administrative services, enterprise resource planning.
58. The appropriation made to the department of safety in 2003, 240:3, I, D, as extended by 2005, 259:25, XLI and 2007, 264:29, LXVI, for finish Troop D first floor.
59. The appropriation made to the department of safety in 2005, 259:4, I, A, as extended by 2007, 264:29, LXVII for enhanced road toll system.
60. The appropriation made to the department of safety in 2005, 259:4, I, D, as amended by 2007, 264:26, as extended by 2007, 264:29, LXX, for Milford DMV office addition & renovate trooper barracks at DOT- Bedford.
61. The appropriation made to the department of safety in 2005, 259:4, I, F, as extended by 2007, 264:29, LXXII, for radio maintenance expansion.
62. The appropriation made to the department of safety in 2007, 264:2, I, D, for OIT projects for DMV.
63. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28 XXXIII, 2003, 240:34, LXXVI, 2005, 259:25, LVI, and 2007, 264:29, LXXIV, for acquisition of railroad and airport properties.
64. The appropriation made to the department of transportation in 2007, 264:1, XIV, A, for 5-10 percent match for FAA projects.
65. The appropriation made to the department of transportation in 2007, 264:1, XIV, B, for public transit bus replacement.
66. The appropriation made to the department of transportation in 2007, 264:1, XIV, C, for rail match.
67. The appropriation made to the department of transportation in 2007, 264:1, XIV, D, for repair state rail lines.
68. The appropriation made to the department of transportation in 2007, 264:1, XIV, E, for maintenance hanger at Skyhaven airport.

69. The appropriation made to the department of transportation in 2007, 264:1, XIV, F, for Groveton branch line.

70. The appropriation made to the department of transportation in 2007, 264:2, II, B, for statewide - energy/environmental renovations.

71. The appropriation made to the department of transportation in 2007, 264:2, II, C, for statewide - underground fuel tank replacement.

72. The appropriation made to the department of transportation in 2007, 264:2, II, D, for the Chesterfield welcome center.

73. The appropriation made to the department of transportation in 2007, 264:2, II, E, for a fuel center computer system.

74. The appropriation made to the department of transportation in 2007, 264:2, II, G, 1, for consolidated federal funds, state match.

75. The appropriation made to the department of transportation in 2007, 264:2, II, G, 2, for highway construction betterment.

76. The appropriation made to the department of transportation in 2007, 264:2, II, G, 3, for state highway construction aid.

77. The appropriation made to the department of transportation in 2007, 264:2, II, G, 4, for highway municipal bridge program.

78. The appropriation made to the department of transportation in 2005, 259:1, XIII, A, as extended by 2007, 264:29, LXXVII, for 2 ½ - 5 percent match for FAA projects.

79. The appropriation made to the department of transportation in 2005, 259:1, XIII, B, as extended by 2007, 264:29, LXXVIII, for public transit bus replacement.

80. The appropriation made to the department of transportation in 2005, 259:1, XIII, F, as amended by 2007, 264:20, as extended by 2007, 264:29, for railroad acquisition, right of first refusal, rail match.

81. The appropriation made to the department of transportation in 2005, 259:4, II, D, as amended by 2007 264:19, as extended by 2007, 264:29, LXXXIV, district 5 office – Bedford, renovate Manchester Troop barracks.

82. The appropriation made to the department of transportation in 2005, 259:4, II, I, as extended by 2007, 264:29, LXXXVII, Chesterfield welcome center and Antrim rest area.

83. The appropriation made to the New Hampshire veterans' home in 2003, 240:1, XII, A, as extended by 2005, 259:25, LIII and 2007, 264:29, LXXXIX, for upgrade fire safety and renovation project.

84. The appropriation made to the New Hampshire veterans' home in 2005, 259:1, XII, A, as extended by 2007 264:29, XC, for HVAC, Tarr unit roof, life safety updates.

16 Effective Date.

I. Section 15 of this act shall take effect June 30, 2009.

II. The remainder of this act shall take effect July 1, 2009.

2009-1193h

#### **Amendment to HB 276-FN**

##### **Proposed by the Committee on Criminal Justice and Public Safety - C**

Amend the bill by deleting section 3 and renumbering the original sections 4-5 to read as 3-4, respectively.

#### **AMENDED ANALYSIS**

This bill establishes additional requirements for challenging voters, including a challenge affidavit.

2009-1188h

#### **Amendment to HB 345-FN**

##### **Proposed by the Committee on Executive Departments and Administration - C**

Amend the introductory paragraph of RSA 328-A:15-b, IV as inserted by section 2 of the bill by replacing it with the following:

IV. Before treating an animal, an animal physical therapist shall receive a referral from a veterinarian licensed under RSA 332-B. Such referral shall be oral or written and an oral referral shall be followed by a written referral filed within 7 days of the first treatment by the animal physical therapist. The written referral shall contain the following:

2009-0619h

**Amendment to HB 383**

**Proposed by the Committee on Ways and Means**

Amend RSA 265:107-a, VII as inserted by section 2 of the bill by replacing it with the following:

VII. Any person who violates the provisions of this section shall be guilty of a violation, and shall be subject to the following fines:

- (a) \$25 for a first offense.
- (b) \$50 for a second or subsequent offense.

2009-1137h

**Amendment to HB 391**

**Proposed by the Committee on Finance - R**

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

AN ACT authorizing the department of transportation to convey a portion of interstate highways to the bureau of turnpikes, redefining the eastern New Hampshire turnpike, providing for the maintenance and funding of a portion of the eastern New Hampshire turnpike, increasing the aggregate amount of bonds the state may issue, and authorizing the department of transportation to install open road tolling.

Amend the bill by replacing section 4 with the following:

4 New Paragraph; Authority Granted. Amend RSA 237:2 by inserting after paragraph IX the following new paragraph:

X. Acquire, expand, and make improvements to the eastern New Hampshire turnpike from the northerly expansion joint of the I-95 bridge over the Spaulding Turnpike, U.S. 4 and N.H. 16 (bridge No. 197/22) north to point on the New Hampshire-Maine boundary in the city of Portsmouth, such improvements to include the installation of open road tolling for the toll on I-95 in the town of Hampton, NH.

Amend the bill by inserting after section 4 the following and renumbering the original sections 5-13 to read as 6-14:

5 New Section; Eastern New Hampshire Turnpike; Operation and Funding. Amend RSA 237 by inserting after section 2 the following new section:

237:2-a Operation and Funding.

I. The bureau of turnpikes shall operate and maintain the eastern New Hampshire turnpike from the northerly expansion joint of the I-95 bridge over the Spaulding Turnpike, U.S. 4 and N.H. 16 (bridge No. 197/22) north to point on the New Hampshire-Maine boundary in the city of Portsmouth, which shall become part of the eastern New Hampshire turnpike under RSA 237:17 and the Blue Star turnpike under RSA 237:18.

II. Acquisition and expansion of the eastern New Hampshire turnpike system for \$120,000,000 plus interest shall be at the state borrowing rate to be paid over a maximum 20-year term to the highway fund from the turnpike reserves under terms and conditions to be determined by the commissioner of transportation.

III. The high level bridge on I-95 over the Piscataqua River shall be eligible for federal funds and state highway funds. In the event of emergency repairs or repair to damage from a catastrophic event, the department of transportation, rather than the bureau of turnpikes, shall remain liable for such repairs to the high level bridge.

Amend RSA 237:7, I as inserted by section 10 of the bill by inserting after subparagraph (r) the following new subparagraph:

- (s) Construction of noise barriers along I-95 in Portsmouth. 1,000,000.

Amend RSA 237:7, I(q) as inserted by section 9 of the bill by replacing it with the following:

(q) Repair and improve bridge on Route 107  
over 1-95 in Seabrook 2,000,000

AMENDED ANALYSIS

This bill:

- I. Authorizes the department of transportation to convey a portion of interstate highways to the bureau of turnpikes.
  - II. Defines certain highways.
  - III. Redefines the eastern New Hampshire turnpike.
  - IV. Provides for the maintenance and funding for a certain portion of the eastern New Hampshire turnpike.
  - V. Increases the aggregate amount of bonds the state may issue.
  - VI. Authorizes the department of transportation to install open road tolling.
- This bill is a request of the department of transportation.

2009-1147h

**Amendment to HB 392-FN**

**Proposed by the Committee on Ways and Means - R**

Amend the bill by replacing section 2 with the following:

2 On-Premises License Fees. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

|                          | Supplemental<br>Only | Beverages<br>and Wine | Beverages<br>and Liquor | Cocktail<br>Lounge |
|--------------------------|----------------------|-----------------------|-------------------------|--------------------|
| Airport                  |                      |                       |                         | \$1,200            |
| Ballroom                 | \$ 45                |                       |                         | \$1,200            |
| Bed and Breakfast        |                      | \$ 480                | \$ 840                  |                    |
| Beer Festival            |                      |                       |                         |                    |
| One-day                  | \$ 250               |                       |                         |                    |
| Two-day                  | \$ 300               |                       |                         |                    |
| Three-day                | \$ 350               |                       |                         |                    |
| Catering (all)           |                      |                       |                         | \$1,200            |
| Catering (off-site only) |                      |                       |                         | \$ 840             |
| Catering (on-site only)  |                      |                       |                         |                    |
| 18 events-               | \$ 5                 |                       |                         |                    |
| 36 events-               | \$ 5                 |                       |                         |                    |
| 52 events-               | \$ 5                 |                       |                         |                    |
| Club Military            |                      |                       |                         | \$ 100             |
| Club Social              |                      |                       |                         |                    |
| 9 events                 | \$ 250               |                       |                         |                    |
| 18 events                | \$ 450               |                       |                         |                    |
| 36 events                | \$ 750               |                       |                         |                    |
| 52 events                | \$1,200              |                       |                         |                    |
| Club Private             |                      |                       |                         | \$1,200            |
| Club Veterans            |                      |                       |                         |                    |
| 9 events                 | \$ 250               |                       |                         |                    |
| 18 events                | \$ 450               |                       |                         |                    |
| 36 events                | \$ 750               |                       |                         |                    |
| 52 events                | \$1,200              |                       |                         |                    |
| College Club             |                      |                       |                         | \$1,200            |
| Convention Center        |                      |                       |                         | \$2,400            |
| Dining Car               |                      | \$ 480                |                         | \$ 840             |
| Fairs                    |                      | \$ 112                |                         |                    |
| Hotel                    |                      | \$ 840                |                         | \$1,200            |
| One day License          |                      |                       |                         | \$ 100             |

|                              |         |              |         |
|------------------------------|---------|--------------|---------|
| Performing Arts              |         |              | \$ 360  |
| Racetrack/Motor Vehicle      |         |              | \$1,800 |
| Racetrack/Pari-Mutuel        |         |              | \$3,000 |
| Rail Cars                    |         |              | \$1,200 |
| Restaurant                   | \$ 480  | \$ 840       | \$1,200 |
| Special License              |         | \$ 25        |         |
| Sports/Entertainment Complex |         |              | \$1,800 |
| 9 events                     | \$ 250  |              |         |
| 18 events                    | \$ 450  |              |         |
| 36 events                    | \$ 750  |              |         |
| 52 events                    | \$1,200 |              |         |
| Sports Recreation Facility   |         |              | \$1,200 |
| <b>Tobacco Retailer</b>      |         | <b>\$840</b> |         |
| Vessel                       | \$ 480  | \$ 840       | \$1,200 |

2009-0898h

**Amendment to HB 420-FN**

**Proposed by the Committee on Finance - R**

Amend RSA 100-A:6, III(b)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) The provisions of subparagraph (b)(1) shall not apply to a group II accidental disability beneficiary whose total of years of service as a member in group II plus years of accidental disability retirement is at least 20 years, as determined by the board, and who has attained the age of 45. Any such accidental disability beneficiary shall receive retirement allowance benefits under this section without reduction for gainful occupation.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2009.

**AMENDED ANALYSIS**

This bill removes the application of the gainful occupation reductions to retirement allowances of group II accidental disability beneficiaries who have years of service plus years of accidental disability retirement which total at least 20 and who has attained the age of 45.

2009-1136h

**Amendment to HB 468-FN-LOCAL**

**Proposed by the Committee on Finance - R**

Amend the bill by replacing section 1 with the following:

1 Department of Health and Human Services; Bureau of Elderly and Adult Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments. Amend RSA 167:18-a, II to read as follows:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2009-~~2010~~ **2011**:

(1) State fiscal year 2009, \$103,000,000.

(2) State fiscal year 2010, \$105,000,000.

**(3) State fiscal year 2011, \$105,000,000.**

(b) The caps on total billings for fiscal years after fiscal year ~~2010~~ **2011** shall be established by the legislature on a biennial basis.

2009-1149h

**Floor Amendment to HB 468-FN-LOCAL**

**Proposed by Rep. Osborne**

Amend RSA 167:18-a, II as inserted by section 1 of the bill by replacing it with the following:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2009-~~2010~~ **2012**:

(1) State fiscal year 2009, \$103,000,000.

(2) State fiscal year 2010, \$105,000,000.

**(3) State fiscal year 2011, \$105,000,000.**

**(4) State fiscal year 2012, \$105,000,000.**

(b) The caps on total billings for fiscal years after fiscal year ~~[2010]~~ **2012** shall be established by the legislature on a biennial basis.

2009-1146h

**Amendment to HB 473-FN**

**Proposed by the Committee on Criminal Justice and Public Safety - C**

Amend RSA 485:17, II as inserted by section 5 of the bill by replacing it with the following:

***II. If a person shall purposely or knowingly place, leave, or cause to be placed or left, in or near a lake, pond, reservoir, or stream tributary thereto, from which the domestic water supply of a city, town, or village is taken, in whole or in part, any material, substance, or fluid that may cause such water to become impure or unfit for such purposes such person shall be guilty of a class A felony.***

2009-0880h

**Amendment to HB 476-FN**

**Proposed by the Committee on Ways and Means - C**

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

AN ACT relative to modifying the quorum requirement and relative to filing fees for eminent domain proceedings before the board of tax and land appeals.

Amend the bill by deleting sections 2-13 and renumbering the original sections 14 and 15 to read as 2 and 3, respectively.

**AMENDED ANALYSIS**

This bill modifies the quorum requirement for the board of tax and land appeals.

The bill also repeals a requirement that 90 percent of the board's filing fees under the eminent domain procedure act be deposited in the highway fund.

2009-0767h

**Amendment to HB 481-FN-A**

**Proposed by the Committee on Ways and Means - R**

Amend RSA 214:9, XVI(b) as inserted by section 2 of the bill by replacing it with the following:

(b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine waters, shall pay a fee for each charter boat and each party boat according to the schedule in subparagraph (e), which shall entitle the owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title.

Amend RSA 214:9, XVI(e)(2) as inserted by section 2 of the bill by replacing it with the following:

(2) \$75 for charter boats and other for hire vessels, except party boats.

2009-1116h

**Amendment to HB 647-FN**

**Proposed by the Majority of the Committee on Ways and Means - R**

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

1 Registration Required; Fine. Amend RSA 261:40 to read as follows:

261:40 Registration Required. Except as otherwise provided, it is a violation for any person to drive or any owner or custodian to knowingly permit or cause to be driven on the ways of this state any vehicle which is not specifically exempt by statute or rule from the requirement of registration, unless the same has been registered and the appropriate fee paid in accordance with the provisions of this chapter. The fine, ***exclusive of the penalty assessment***, for a violation of this section shall be ~~[\$100]~~ **\$85**.

2 New Section; Penalties and Court Appearances; Calculation of Fines. Amend RSA 262 by inserting after section 41 the following new section:

262:41-a Calculation of Fines. Unless a fine in this title specifies that it is inclusive of the penalty assessment, the court or, in the case of a plea by mail, the department, shall levy a penalty assessment on the statutory fine amount in accordance with RSA 188-F:31.

3 Allowing an Improper Person; Fine. Amend RSA 263:1-a to read as follows:

263:1-a Allowing an Improper Person. No person shall knowingly permit a motor vehicle owned or controlled by him **or her** to be driven by a person who is not properly licensed or otherwise entitled to drive. Any person who violates this section shall be guilty of a violation, and if the license or driving privilege of the person allowed to drive is under suspension or revocation, the owner or person in control of the vehicle, notwithstanding title LXII, shall be fined, **exclusive of the penalty assessment**, not less than \$100.

4 Motorcycle License; Fine. Amend RSA 263:30, II to read as follows:

II. The fine, **exclusive of the penalty assessment**, for a violation of this section shall be ~~[\$100]~~ **\$85**.

5 Commercial Driver License Classifications; Fine. Amend RSA 263:92, II to read as follows:

II. Any driver who operates a motor vehicle in violation of the provisions of the commercial driver license classification system shall be subject to a fine, **exclusive of the penalty assessment**, of ~~[\$100]~~ **\$85**.

6 Highway Markings; Fine. Amend RSA 265:22, II to read as follows:

II. The fine, **exclusive of the penalty assessment**, for a violation of this section shall be ~~[\$100]~~ **\$85**.

7 Stop Signs and Yield Signs; Fine. Amend RSA 265:31, IV to read as follows:

IV. The fine, **exclusive of the penalty assessment**, for violation of this section shall be ~~[\$100]~~ **\$85**.

8 Speed Limits; Fines and Appearances. Amend RSA 265:60, V-VI to read as follows:

V. The fines, **exclusive of the penalty assessment**, for violation of subparagraphs ~~II(a)-(d)]~~ **II(b)-(e)** shall be as follows:

Miles per hour above the limit specified:

1-10 ~~[\$50]~~ **\$100**

11-15 ~~[75]~~ **\$125**

16-20 ~~[100]~~ **\$210**

21-25 ~~[200]~~ **\$290**

**26-30 \$415**

**31-39 \$450**

~~[26+]~~ **40+** Must appear

~~[(Minimum \$350)]~~

VI. ~~[The fines for violations of subparagraph II(c) shall be as follows:~~

~~Miles above the 65 mph limit:~~

~~1-5 — \$65~~

~~6-10 — 100~~

~~11-15 — 150~~

~~16-20 — 250~~

~~21-25 — 350~~

~~26+ Must appear]~~ **The fine, exclusive of the penalty assessment, for violation of subparagraph II(a) shall be \$125.**

**VII. Any person driving a vehicle at a speed more than 26 miles per hour above the limit specified who has a youth operator's license or who has 2 or more previous speeding convictions or a conviction of reckless driving or driving to endanger may not enter a plea by mail but must appear before the court.**

9 Obstruction; Fine. Amend RSA 265:95, IV to read as follows:

IV. Any person who violates the provisions of paragraph I, II, or III of this section shall be subject to a fine, **exclusive of the penalty assessment**, of ~~[\$75]~~ **\$60**.

10 Riding Upon Motorcycles; Fine. Amend RSA 265:120, V to read as follows:

V. Any person who violates the provisions of paragraph I, II, or III of this section shall be subject to a fine, ***exclusive of the penalty assessment***, of [~~\$75~~] ***\$60***.

11 Effective Date. This act shall take effect 120 days after its passage.

#### AMENDED ANALYSIS

This bill modifies the fine amounts for various motor vehicle offenses, specifies that certain fine amounts exclude the penalty assessment, and changes the circumstances under which a violator must appear in court.

This bill is a request of the department of safety.