



State of
New Hampshire

HOUSE RECORD

First Year of the 162nd General Court Calendar and Journal of the 2011 Session

Vol. 33

Concord, NH

Wednesday, March 30

No. 27C

Contains: Floor Amendments.

ADDENDUM C TO HOUSE CALENDAR 27

FLOOR AMENDMENTS

(LISTED IN NUMERICAL ORDER)

WEDNESDAY, MARCH 30

2011-1237h

Floor Amendment to HB 1-A

**Proposed by Reps. Campbell, Bouchard, Long, Sprague, Ramsey, Cloutier, Foose
and Lerandean**

Amend accounting unit 04-96-96-963015-3039 as inserted by section 1 of the bill to read as follows:

04 TRANSPORTATION

96 DEPARTMENT OF TRANSPORTATION 96 TRANSPORTATION, DEPT OF

963015 CONSTRUCTION PROGRAM FUNDS

3039 BETTERMENT

	<u>FY 2012</u>	<u>FY 2013</u>
018 Overtime	750,000	750,000
020 Current Expenses	300,000	300,000
022 Rents-Leases Other Than State	1,500,000	1,500,000
023 Heat- Electricity - Water	1,000	1,000
024 Maint. Other Than Build.- Grnds	10,000	10,000
046 Consultants	500,000	500,000
048 Contractual Maint.-Build-Grnds	50,000	50,000
050 Personal Service-Temp/Appointe	100,000	100,000
060 Benefits	157,350	156,975
070 In-State Travel Reimbursement	50,000	50,000
400 Construction Repair Materials	~~[18,881,650]~~ 20,951,650	~~[18,881,650]~~ 20,951,650
401 Land - Interest	200,000	200,000
TOTAL	~~[22,500,000]~~ 24,570,000	~~[22,499,625]~~ 24,569,625
ESTIMATED SOURCE OF FUNDS FOR		
BETTERMENT		
009 Agency Income	22,500,000	22,499,625
Highway Funds	2,070,000	2,070,000
TOTAL SOURCE OF FUNDS	~~[22,500,000]~~ 24,570,000	~~[22,499,625]~~ 24,569,625

Amend section 24 of the bill to read as follows:

24 Estimates of Unrestricted Revenue.

GENERAL FUND	<u>FY 2012</u>	<u>FY 2013</u>
BUSINESS PROFITS TAX	\$259,045,000	\$266,777,000
BUSINESS ENTERPRISE TAX	<u>63,482,000</u>	<u>65,352,000</u>
SUBTOTAL BUSINESS TAXES	322,527,000	332,129,000
MEALS AND ROOMS TAX	221,903,000	226,841,000
TOBACCO TAX	124,225,000	120,515,000
TRANSFER FROM LIQUOR COMMISSION	130,300,000	135,000,000
INTEREST AND DIVIDENDS TAX	85,400,000	87,100,000
INSURANCE	86,100,000	86,800,000
COMMUNICATIONS TAX	80,200,000	81,000,000
REAL ESTATE TRANSFER TAX	53,096,000	54,163,000
COURT FINES & FEES	13,600,000	13,600,000
SECURITIES REVENUE	35,100,000	35,900,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BOARD AND CARE REVENUE	20,500,000	21,000,000
BEER TAX	13,100,000	13,100,000
RACING & CHARITABLE GAMING	2,300,000	2,400,000
OTHER REVENUES	69,100,000	68,700,000
GAMBLING WINNINGS TAX	3,400,000	3,400,000
TOBACCO SETTLEMENT	<u>2,400,000</u>	<u>2,400,000</u>
SUBTOTAL	1,269,251,000	1,290,048,000
MEDICAID ENHANCEMENT TAX	97,000,000	104,800,000
MEDICAID RECOVERIES	<u>17,400,000</u>	<u>18,300,000</u>
TOTAL GENERAL FUND	<u>\$1,383,651,000</u>	<u>\$1,413,148,000</u>

EDUCATION FUND	<u>FY 2012</u>	<u>FY 2013</u>
BUSINESS PROFITS TAX	\$55,510,000	\$57,167,000
BUSINESS ENTERPRISE TAX	<u>126,963,000</u>	<u>130,704,000</u>
SUBTOTAL BUSINESS TAXES	182,473,000	187,871,000
MEALS AND ROOMS TAX	7,297,000	7,459,000
TOBACCO TAX	96,775,000	93,885,000
REAL ESTATE TRANSFER TAX	26,504,000	27,037,000
TRANSFER FROM LOTTERY COMMISSION	66,200,000	67,500,000
TRANSFER FROM RACING & CHARITABLE GAMING	900,000	900,000
TOBACCO SETTLEMENT	40,000,000	40,000,000
UTILITY PROPERTY TAX	28,000,000	28,000,000
STATEWIDE PROPERTY TAX	<u>363,000,000</u>	<u>363,000,000</u>
TOTAL EDUCATION FUND	\$811,149,000	\$815,652,000

HIGHWAY FUND	<u>FY 2012</u>	<u>FY 2013</u>
GASOLINE ROAD TOLL	~~[\$124,500,000]~~ 126,345,000	~~[\$124,500,000]~~ 126,345,000
MOTOR VEHICLE FEES	108,300,000	108,300,000
MISCELLANEOUS	~~[24,500,000]~~ 24,725,000	~~[23,500,000]~~ 23,725,000
TOTAL HIGHWAY FUND	~~[\$257,300,000]~~ 259,370,000	~~[\$256,300,000]~~ 258,370,000

FISH AND GAME FUND	<u>FY 2012</u>	<u>FY 2013</u>
FISH AND GAME LICENSES	\$8,200,000	\$8,200,000
FINES AND MISCELLANEOUS	<u>1,900,000</u>	<u>1,900,000</u>
TOTAL FISH AND GAME FUND	<u>\$10,100,000</u>	<u>\$10,100,000</u>

2011-1246h

Floor Amendment to HB 1-A

Proposed by Reps. Benn and Baroody

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Resources and Economic Development; Innovative Research Center; Additional Appropriation. In addition to any other sums appropriated to the department of resources and economic development, the sum of \$385,000 in fiscal year 2012 and the sum of \$385,000 in fiscal year 2013 are hereby appropriated to department of resources and economic development for the purpose of restoring funding to the innovative research center (accounting unit 03-35-35-350510-3615). The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1248h

Floor Amendment to HB 1-A

Proposed by Reps. Foose and Lerandean

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Education; Tuition and Transportation Program; Additional Appropriation. In addition to any other sums appropriated to the department of education, the sum of \$1,000,000 in each fiscal year of the biennium ending June 30, 2013 is hereby appropriated to the department of education, accounting unit 06-56-56-5610-6019 (Other State Aid), for the purpose of funding the tuition and transportation program. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1249h

Floor Amendment to HB 1-A

Proposed by Reps. Benn and Wallner

Amend the bill by inserting after section 22 the following new sections and renumbering the remaining sections:

23 Department of Agriculture, Markets, and Food; Weights and Measures; Additional Appropriation. In addition to any other sums appropriated to the department of agriculture, markets, and food, the sum of \$189,949 in fiscal year 2012 and the sum of \$194,390 in fiscal year 2013 are hereby appropriated to department of agriculture, markets and food, division of weights and measures (accounting unit 02-18-18-180010-2133) for the purpose of restoring 3 positions within the division of weights and measures. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

24 Department of Justice; Consumer Protection; Additional Appropriation. In addition to any other sums appropriated to the department of justice, the sum of \$180,162 in fiscal year 2012 and the sum of \$239,783 in fiscal year 2013 are hereby appropriated to department of justice for the purpose of consumer protection (accounting unit 02-20-20-200510-2611). The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1250h

Floor Amendment to HB 1-A

Proposed by Reps. Almy and Foose

Amend the bill by replacing section 24 with the following:

24 Estimates of Unrestricted Revenue.

GENERAL FUND	<u>FY 2012</u>	<u>FY 2013</u>
BUSINESS PROFITS TAX	\$267,550,000	\$292,220,000
BUSINESS ENTERPRISE TAX	<u>66,270,000</u>	<u>72,380,000</u>
SUBTOTAL BUSINESS TAXES	333,820,000	364,600,000
MEALS AND ROOMS TAX	231,060,000	245,970,000

TOBACCO TAX	125,330,000	121,390,000
TRANSFER FROM LIQUOR COMMISSION	130,300,000	139,400,000
INTEREST AND DIVIDENDS TAX	98,300,000	106,200,000
INSURANCE	86,100,000	86,800,000
COMMUNICATIONS TAX	81,800,000	82,600,000
REAL ESTATE TRANSFER TAX	56,760,000	57,900,000
COURT FINES & FEES	13,600,000	13,600,000
SECURITIES REVENUE	35,100,000	35,900,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BOARD AND CARE REVENUE	20,500,000	21,000,000
BEER TAX	13,100,000	13,100,000
RACING & CHARITABLE GAMING	2,500,000	2,700,000
OTHER REVENUES	69,100,000	68,700,000
GAMBLING WINNINGS TAX	0	0
TOBACCO SETTLEMENT	<u>2,400,000</u>	<u>2,400,000</u>
SUBTOTAL	1,305,770,000	1,368,260,000
MEDICAID ENHANCEMENT TAX	97,000,000	104,800,000
MEDICAID RECOVERIES	<u>17,400,000</u>	<u>18,300,000</u>
TOTAL GENERAL FUND	<u>\$1,420,170,000</u>	<u>\$1,491,360,000</u>
EDUCATION FUND	<u>FY 2012</u>	<u>FY 2013</u>
BUSINESS PROFITS TAX	\$57,150,000	\$62,420,000
BUSINESS ENTERPRISE TAX	<u>132,740,000</u>	<u>144,980,000</u>
SUBTOTAL BUSINESS TAXES	189,890,000	207,400,000
MEALS AND ROOMS TAX	7,640,000	8,130,000
TOBACCO TAX	97,670,000	94,610,000
REAL ESTATE TRANSFER TAX	28,340,000	28,900,000
TRANSFER FROM LOTTERY COMMISSION	70,000,000	72,000,000
TRANSFER FROM RACING & CHARITABLE GAMING	900,000	900,000
TOBACCO SETTLEMENT	40,000,000	40,000,000
UTILITY PROPERTY TAX	28,000,000	28,000,000
STATEWIDE PROPERTY TAX	<u>363,000,000</u>	<u>363,000,000</u>
TOTAL EDUCATION FUND	\$825,440,000	\$842,940,000
HIGHWAY FUND	<u>FY 2012</u>	<u>FY 2013</u>
GASOLINE ROAD TOLL	\$124,500,000	\$124,500,000
MOTOR VEHICLE FEES	108,300,000	108,300,000
MISCELLANEOUS	<u>24,500,000</u>	<u>23,500,000</u>
TOTAL HIGHWAY FUND	<u>\$257,300,000</u>	<u>\$256,300,000</u>
FISH AND GAME FUND	<u>FY 2012</u>	<u>FY 2013</u>
FISH AND GAME LICENSES	\$8,200,000	\$8,200,000
FINES AND MISCELLANEOUS	<u>1,900,000</u>	<u>1,900,000</u>
TOTAL FISH AND GAME FUND	<u>\$10,100,000</u>	<u>\$10,100,000</u>

2011-1253h

Floor Amendment to HB 1-A
Proposed by Reps. Foose and Lerandeau

Amend the bill by replacing section 19 with the following:

19 Department of Safety; Additional General Fund Appropriations. In addition to any other sums appropriated to the department of safety, the sums of \$714,710 in the fiscal year ending June 30, 2012 and \$709,806 in the fiscal year ending June 30, 2013 are hereby

appropriated to the department of safety, division of state police in accounting unit 02-23-23-2340-5412 (Detective Bureau), for the purpose of funding the salary and benefit class lines associated with 7 positions. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1254h

Floor Amendment to HB 1-A
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Health and Human Services; Domestic Violence Program; Additional Appropriation. In addition to any other sums appropriated in section 1 of this act, the sum of \$150,000 for the fiscal year ending June 30, 2012, and the sum of \$150,000 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services in account 05-95-40-403010-6040, class 073 Grants-Non Federal, for the purpose of funding domestic violence programs. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1255h

Floor Amendment to HB 1-A
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Health and Human Services; Employment Related Child Care; Additional Appropriation. In addition to any other sums appropriated in section 1 of this act, the sum of \$2,500,000 for the fiscal year ending June 30, 2012, and the sum of \$2,500,000 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services in account 05-95-40-403510-6148, class 536, for employment related child care. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1256h

Floor Amendment to HB 1-A
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Health and Human Services; Additional Appropriations. In addition to any other sums appropriated to the department of health and human services in section 1 of this act:

I. The sum of \$7,355,037 for the fiscal year ending June 30, 2012, and the sum of \$7,401,551 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services, in account 05-95-93-930010-7100, class 557 Medicaid Waiver Services, for the purpose of providing developmental services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. The sum of \$835,448 for the fiscal year ending June 30, 2012, and the sum of \$855,529 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services in account 05-95-93-930010-7016, class 557 Medicaid Waiver Services for the purpose of providing acquired brain disorder services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

III. The sum of \$1,772,650 for the fiscal year ending June 30, 2012, and the sum of \$1,810,426 for the fiscal year ending June 30, 2013, are hereby appropriated to the

department of health and human services in account 05-95-93-930010-7013, class 102 Contracts for program services for the purpose of providing family support services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1257h

Floor Amendment to HB 1-A
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Health and Human Services; Community Mental Health Services; Additional Appropriation. In addition to any other sums appropriated in section 1 of this act, the sum of \$12,647,000 for the fiscal year ending June 30, 2012, and \$12,517,000 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services in account 05-95-92-920010-7010, class 502 Payments to Providers for the purposes of community mental health services for children and adults. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1258h

Floor Amendment to HB 1-A
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by inserting after section 22 the following new section and renumbering the remaining sections:

23 Department of Health and Human Services; Alcohol and Drug Abuse Prevention Intervention and Treatment; Additional Appropriation. In addition to any other sums appropriated in section 1 of this act, the sum of \$1,493,000 for the fiscal year ending June 30, 2012, and \$1,512,000 for the fiscal year ending June 30, 2013, are hereby appropriated to the department of health and human services in account 05-95-95-958410-1388, class 102 Contracts for program services for the purposes of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2011-1261h

Floor Amendment to HB 1-A
Proposed by Reps. Foose and Lerandeau

Amend the bill by inserting after section 22 the following new sections and renumbering the remaining sections:

23 Community College System; Additional Appropriation. In addition to any other sums appropriated to the community college system of New Hampshire, the sum of \$6,000,000 in each fiscal year of the biennium ending June 30, 2013 is hereby appropriated to the community college system of New Hampshire. The governor shall draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

24 University System of New Hampshire; Additional Appropriation. In addition to any other sums appropriated to the university system of New Hampshire, the sum of \$25,000,000 in each fiscal year of the biennium ending June 30, 2013 is hereby appropriated to the university system of New Hampshire, accounting unit 06-50-50-5060-1855 (University System of NH). The governor shall draw a warrant for said sums from any money in the treasury not otherwise appropriated.

2011-1238h

Floor Amendment to HB 2-FN-A-LOCAL
Proposed by Reps. Campbell, Bouchard, Long, Sprague, Ramsey, Cloutier, Foose

and Lerandeau

Amend the bill by inserting after section 464 the following new sections and renumbering the original section 465 to read as 467:

465 State 10-Year Transportation Improvement Plan; Capital Projects Eliminated. The following capital projects contained in the state of New Hampshire 10-year transportation improvement plan 2011-2020, adopted by 2010, 231:1, totaling \$252,000,000, are hereby eliminated due to budget reductions:

I. 2012:

Alton, project number 14121D, NH 28/Stockbridge Corner Rd intersection
Concord, project number 12004, Sewalls Falls Rd Bridge replacement
Durham- Newmarket, project number 13080, NH 108 rehabilitation & shoulders
Milford-Nashua, project number 10136, NH 101A intersection improvements
Nashua, project number 10136 A, NH 101A widening, Celina Ave-Amherst St
Walpole-Charlestown, project number 14747, NH 12 reconstruction

II. 2013:

Haverhill-Bath, project number 10436, US 302 reconstruction
Keene-Swanzey, project number 10309P, NH 9/10/12/101 multi-use trail bridge
Lebanon, project number 10034A, Mechanic Street reconstruction
Milford-Nashua, project number 10136, NH 101A intersection improvements
Plaistow-Kingston, project number 10044G, NH 125 reconstruction
Walpole-Charlestown, project number 14747, NH 12 reconstruction
Wilton-Bedford, project number 13692, NH 101 safety improvements

III. 2014:

Durham, US 4/NH 108 interchange reconfiguration
Hinsdale-Brattleboro, project number 12210*, NH 119 bridge replacement
Keene, project number 10309B, Winchester St reconstruction
*Assume Hinsdale-Brattleboro starts in 2015 (red list bridges)

IV. 2015:

Barnstead-Alton, project number 14121, NH 28 rehabilitation
Exeter, project number 14090A, Park St. bridge replacement
Keene, project number 10309B, Winchester St. reconstruction
Keene-Swanzey, project number 13090L, NH 12/101 interim widening
Madison-Conway, Conway Bypass (south segment)
Ossipee, project number 10431, NH 16 rehabilitation at NH 28 intersection
Ossipee, project number 13910, NH 25/NH 16 intersection improvement

V. 2016:

Jefferson-Randolph, project number 13602B, US 2 reconstruction
Madison-Conway, Conway Bypass (south segment)
Salem, project number 12334, NH 28

VI. 2017:

Colebrook, NH 26 bridge rehabilitation over Mohawk River
Keene-Swanzey, project number 10309J, NH 9/101 "T" int. improvements
Littleton-Waterford*, I-93 rehabilitation, exit 41-VT (2 red list bridges)
Madison-Conway – Conway Bypass (south segment)
Nashua, East Hollis Street reconstruction
*Assume Littleton-Waterford starts in 2018 (red list bridges)

VII. 2018:

Belmont-Laconia, NH 106 reconstruction south of bypass
Madison-Conway, Conway Bypass (south segment)
Nashua, Main Street reconstruction, Hollis St. – Orchar Ave
Plaistow-Kingston, project number 10044E, NH 125 reconstruction

VIII. 2019:

Dummer-Errrol, NH 16 rehabilitation

Madison-Conway – Conway Bypass (south segment)
 Plaistow-Kingston, project number 10044E, NH 125 reconstruction

IX. 2020:

Bedford, NH 101 widening from NH 114 to Wallace Rd
 Epping, NH 125 reconstruction from NH 27 to NH 87
 Jaffrey, Main Street roundabout (NH 124/US 202, “dog-leg”)
 New London, NH 114, Main Street reconstruction
 Wilton-Bedford, NH 101 improvements

466 State 10-Year Transportation Improvement Plan; Betterment Projects Eliminated.
 The following betterment projects contained in the state of New Hampshire 10-year transportation improvement plan 2011-2020, adopted 2010, 231:1, are eliminated and the overall betterment projects within the plan, totaling \$135,000,000, are hereby eliminated due to budget reductions:

<u>Town</u>	<u>Category</u>
Amherst	Bridge Painting
Pinkhams Grant	Bridge Painting
Plainfield	Bridge Painting
Shelburne	Bridge Painting
Concord	Bridge Rehab
Dalton	Bridge Rehab
Effingham	Bridge Rehab
Errol	Bridge Rehab
Franconia	Bridge Rehab
Littleton	Bridge Rehab
Auburn	Drainage
Alexandria	Drainage
Andover	Drainage
Bedford	Drainage
Bethlehem	Drainage
Campton	Drainage
Concord	Drainage
Danville	Drainage
Francestown	Drainage
Jefferson	Drainage
Lyndeborough	Drainage
Manchester	Drainage
Rindge	Drainage
Rochester	Drainage
Rollinsford	Drainage
Tamworth	Drainage
Ashland	Guardrail
Canaan	Guardrail
Croydon	Guardrail
Enfield	Guardrail
Hinsdale	Guardrail
Holderness	Guardrail
Jackson	Guardrail
Lisbon	Guardrail
New Boston	Guardrail
Rochester	Guardrail
Rumney	Guardrail
Somersworth	Guardrail
Strafford	Guardrail

Sunapee
Wilmot
Ashland
Canterbury
Chesterfield
Epping
Epping
Greenfield
Greens Grant
Harrisville
Hinsdale
Nelson
Newbury
Pelham
Pittsfield
Raymond
Sanbornton
Sanbornton
Stratford
Sutton
Webster
Webster
Acworth
Alstead
Alstead
Alstead
Alton
Amherst
Andover
Ashland
Barnstead
Barrington
Barrington
Bartlett
Belmont
Benton
Berlin
Bethlehem
Bethlehem
Brentwood
Bridgewater
Bridgewater
Bristol
Brookline
Brookline
Brookline
Brookline
Charlestown
Charlestown
Chichester
Chichester
Colebrook
Colebrook

[illegible]

Colebrook	Pavement
Columbia	Pavement
Concord	Pavement
Conway	Pavement
Conway	Pavement
Cornish	Pavement
Dalton	Pavement
Danville	Pavement
Dixville	Pavement
Dover	Pavement
Dover	Pavement
Dover	Pavement
Dublin	Pavement
Dublin	Pavement
Dunbarton	Pavement
Durham	Pavement
Durham	Pavement
Easton	Pavement
Easton	Pavement
Epping	Pavement
Exeter	Pavement
Franconia	Pavement
Gilford	Pavement
Gilford	Pavement
Gilmanton	Pavement
Goffstown	Pavement
Goshen	Pavement
Grantham	Pavement
Greenland	Pavement
Hampstead	Pavement
Hancock	Pavement
Hancock	Pavement
Harrisville	Pavement
Harts Location	Pavement
Harts Location	Pavement
Harts Location	Pavement
Haverhill	Pavement
Hillsborough	Pavement
Holderness	Pavement
Hollis	Pavement
Hollis	Pavement
Keene	Pavement
Laconia	Pavement
Langdon	Pavement
Langdon	Pavement
Langdon	Pavement
Lee	Pavement
Lee	Pavement
Lempster	Pavement
Lincoln	Pavement
Lincoln	Pavement
Littleton	Pavement
Littleton	Pavement

Loudon	Pavement
Lyme	Pavement
Lyme	Pavement
Lyndeborough	Pavement
Madbury	Pavement
Madbury	Pavement
Marlow	Pavement
Milford	Pavement
Milford	Pavement
Milford	Pavement
Mont Vernon	Pavement
Mont Vernon	Pavement
Moultonborough	Pavement
New Boston	Pavement
New London	Pavement
New London	Pavement
Newmarket	Pavement
Newmarket	Pavement
Newmarket	Pavement
Newport	Pavement
Newport	Pavement
Newton	Pavement
Newton	Pavement
Newton	Pavement
Newton	Pavement
Pelham	Pavement
Piermont	Pavement
Pittsfield	Pavement
Plainfield	Pavement
Plaistow	Pavement
Plymouth	Pavement
Rochester	Pavement
Rollinsford	Pavement
Rye	Pavement
Rye	Pavement
Rye	Pavement
Salem	Pavement
Sanbornton	Pavement
Sandwich	Pavement
Sandwich	Pavement
Somersworth	Pavement
South Hampton	Pavement
Springfield	Pavement
Springfield	Pavement
Strafford	Pavement
Surry	Pavement
Surry	Pavement
Sutton	Pavement
Swanzey	Pavement
Swanzey	Pavement
Swanzey	Pavement
Swanzey	Pavement
Tamworth	Pavement

Temple	Pavement
Tilton	Pavement
Tilton	Pavement
Tilton	Pavement
Unity	Pavement
Walpole	Pavement
Warner	Pavement
Warner	Pavement
Warren	Pavement
Weare	Pavement
Webster	Pavement
Whitefield	Pavement
Whitefield	Pavement
Wilmot	Pavement
Wilton	Pavement
Wilton	Pavement
Wilton	Pavement
Winchester	Pavement
Winchester	Pavement
Windsor	Pavement
Wolfeboro	Pavement
Woodstock	Pavement
Woodstock	Pavement
Barrington	Safety
Bristol	Safety
Brookline	Safety
Durham	Safety
Hudson	Safety
Madbury	Safety
North Hampton	Safety
Pelham	Safety
Whitefield	Safety

AMENDED ANALYSIS

153. Deletes capital projects from the 2011-2020 state 10-year transportation improvement plan totaling \$252,000,000.

154. Deletes betterment projects from the 2011-2020 state 10-year transportation improvement plan totaling \$135,000,000.

2011-1242h

Floor Amendment to HB 2-FN-A-LOCAL Proposed by Reps. Bouchard and Campbell

Amend the bill by deleting section 102.

AMENDED ANALYSIS

Delete paragraph 50.

2011-1259h

Floor Amendment to HB 2-FN-A-LOCAL Proposed by Reps. Nordgren and Rosenwald

Amend the bill by deleting sections 372 through 421.

AMENDED ANALYSIS

Delete paragraph 121.

2011-1260h

Floor Amendment to HB 2-FN-A-LOCAL
Proposed by Reps. Nordgren and Rosenwald

Amend the bill by deleting section 450.

AMENDED ANALYSIS

Delete paragraph 141.

2011-1267h

Floor Amendment to HB 2-FN-A-LOCAL
Proposed by Reps. Goley and Copeland

Amend the bill by deleting section 462.

AMENDED ANALYSIS

Delete paragraph 150.

2011-1271h

Floor Amendment to HB 2-FN-A-LOCAL
Proposed by Reps. Foose and Lerandean

Amend the bill by replacing sections 167 through 205 with the following:

167 Retirement System; Employer Contributions; Non-State Employees; State Share Eliminated. Amend RSA 100-A:16, II(b) and (c) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that ***beginning with state fiscal year 2012 and for each state fiscal year thereafter***, any employer~~[- other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided that, in the case of compensation attributable to extra or special duty, the employer]~~ shall pay the full amount of such total contributions~~[- and provided further that, in case of group II members employed by the state, the state shall pay both normal and accrued liability contributions]~~. The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraphs (h) and (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that ***beginning with state fiscal year 2012 and for each state fiscal year thereafter***, ~~[in the case of teachers,] any employer[- other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided further that in case of teacher members employed by the state the state]~~ shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the

various member classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

168 Retiree Medical Benefits; Beneficiary Contributions Increased. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall *either* deduct from the monthly retirement allowance of retired state employees under the age of 65 years receiving medical and surgical benefits provided pursuant to RSA 21-I:30, ***or notify the department of administrative services, which shall invoice and collect from the retired state employees,*** the premium contribution amounts of ~~[\$65]~~ ***\$100*** per month for each such retiree and ~~[\$65]~~ ***\$100*** per month for each applicable spouse; provided that the charge to each household shall not exceed ~~[\$130]~~ ***\$200*** per month. ~~[Deducted]~~ Amounts ***deducted or received upon invoicing,*** ~~[which]~~ shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, ***and*** shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree the remaining contribution amount. ***For any retired state employee who fails to pay in full within 90 days of receipt of an invoice for such contribution amount, the department of administrative services shall terminate coverage for the retired state employee and notify the retirement system of such termination.***

169 Retirement System; Definition of Earnable Compensation. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For ~~[all]~~ members ***who commenced service prior to July 1, 2011*** the full base rate of compensation paid plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, additional pay for extracurricular and instructional activities or for other extra or special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees, teachers, permanent firemen, and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's

termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b) For members who commenced service on and after July 1, 2011 the full base rate of compensation paid plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, additional pay for extracurricular and instructional activities or for other extra or special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall exclude accumulated unused holiday pay, vacation pay, and sick pay, and longevity pay and severance pay, and shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limits shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees, teachers, permanent firemen, and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exception of disability related pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6.

170 Retirement System; Definitions; Average Final Compensation. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean, ***for members who commenced service before July 1, 2011***, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. ***For members who commenced service on or after July 1, 2011, "average final compensation" shall mean the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years.***

171 Financing; Contribution Rates; Group II Member Payroll Deduction. Amend RSA 100-A:16, I(a) to read as follows:

(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon the member's employment classification at the rate determined in accordance with the following table:

Employees of employers other than the state <i>hired on or before June 30, 2011</i> ,	5.00
Employees of the state hired on or before June 30, 2009,	5.00
Employees of the state hired after June 30, 2009,	7.00
Teachers <i>hired on or before June 30, 2011</i> ,	5.00
Permanent Policemen <i>hired on or before June 30, 2011</i> ,	9.30

Permanent Firemen ***hired on or before June 30, 2011, 9.30***

Group I members hired after June 30, 2011, 7.00

Group II members hired after June 30, 2011, 11.30

The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, except group II members with creditable service in excess of 40 years, as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), on each and every payroll of such employer for each and every payroll period, the percentage of earnable compensation applicable to such member. No deduction from earnable compensation under this paragraph shall apply to any group II member with creditable service in excess of 40 years, as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), and this provision for such members shall not affect the method of determining average final compensation as provided in RSA 100-A:1, XVIII. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if such person was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed 1/10 of one percent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the member annuity savings fund, of the member from whose compensation the deduction was made.

172 State Employees; Group Insurance Benefits; Group II. Amend RSA 21-I:30, III to read as follows:

III. Any vested deferred state retiree may receive medical and surgical benefits under this section if the vested deferred state retiree is eligible. To be eligible, a group I vested deferred state retiree shall have at least 10 years of creditable service with the state if the employee's service began prior to July 1, 2003 or 20 years of creditable service with the state if the employee's service began on or after July 1, 2003 and a group II vested deferred state retiree shall have at least 20 years of creditable service with the state if the employee's service with the state began on or after July 1, 2010. In addition, if the vested deferred state retiree is a member of group I, such retiree shall be at least 60 years of age to be eligible. If the vested deferred state retiree is a member of group II ***who commenced service before July 1, 2011***, such retiree shall not be eligible until 20 years from the date of becoming a member of group II and shall be at least 45 years of age, ***and any group II member who commenced service on or after July 1, 2011 shall not be eligible until 25 years from the date of becoming a member of group II and shall be at least 50 years of age.***

173 Service Retirement; Group II. Amend RSA 100-A:5 to read as follows:

100-A:5 Service Retirement Benefits.

I. Group I Members.

(a) Any group I member, ***who*** may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time, not less than 30 days nor more than 90 days subsequent to the filing thereof, the member desires to be retired, provided the member at the time so specified for retirement has attained age 60 ***if the member commenced service before July 1, 2011 or age 65 if the member commenced service on or after July 1, 2011***, and notwithstanding that during such period of notification the member may have separated from service. For the purposes of this section, a teacher member of group I who remains in service throughout a school year shall be deemed to be in service during July and August at the end of such school year.

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of

retirement, and a state annuity. Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation multiplied by the number of years of creditable service. After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service.

(c) Notwithstanding any other provision of law, any group I member who meets the requirements of RSA 100-A:10, I(a), and who has either completed at least 20 years of creditable service which, when combined with his age equals at least 70 years, or who has attained the age of 50, but not the age of 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011***, may elect to retire and have benefits commence immediately as a reduced service retirement allowance upon written application to the board of trustees setting forth the time, not less than 30 days nor more than 90 days subsequent to the filing thereof, at which the member desires to have benefits commence. The service retirement allowance shall be determined in accordance with RSA 100-A:5, I(b) and shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 60 years of age ***if the member commenced service before July 1, 2011 or 65 years of age if the member commenced service on or after July 1, 2011***, by 1/8 of one percent if the member has 35 years or more of creditable service, by 1/4 of one percent if the member has 30 years but less than 35 years of creditable service, by 1/3 of one percent if the member has at least 25 years but less than 30 years of creditable service, by 5/12 of one percent if the member has at least 20 years but less than 25 years of creditable service, and by 5/9 of one percent if the member has less than 20 years of creditable service.

(d) [Repealed.]

II. Group II Members.

(a) Any group II member in service, ***who commenced service before July 1, 2011***, who has attained age 45 and completed 20 years of creditable service, or who has attained age 60 regardless of the number of years of creditable service, ***and a group II member who commenced service on or after July 1, 2011, who has attained age 50 and completed 25 years of creditable service, or who has attained age 65 regardless of the number of years of creditable service***, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his ***or her*** accumulated contributions at the time of retirement; and

(2) A state annuity which, together with his ***or her*** member annuity, shall be equal to 2-1/2 percent of his ***or her*** average final compensation multiplied by the number of years of his ***or her*** creditable service not in excess of 40 years.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who ***commenced service before July 1, 2011 and*** has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, ***and any group II member who commenced service on or after July 1, 2011 and has retired on or after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service***, shall receive a minimum annual service retirement allowance of \$10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the \$10,000.

(2) [Repealed.]

(3) [Repealed.]

174 Disability Retirement; Group I Age Increased. Amend RSA 100-A:6, I(b) to read as follows:

(b)(1) Upon ordinary disability retirement, the group I member who has attained age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011*** shall receive an ordinary disability retirement allowance which shall consist of a member annuity and shall be the actuarial equivalent of the member's accumulated contributions at the time of his ordinary disability retirement, and a state annuity as follows:

(A) Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at the time of his ordinary disability retirement;

(B) After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at the time of his ordinary disability retirement;

(C) Regardless of age at disability, the ordinary disability retirement allowance shall not be less than 25 percent of the member's average final compensation at the time of his ***or her*** disability retirement.

(2) Upon ordinary disability retirement, the group I member who has not attained age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011*** shall receive an ordinary disability retirement allowance which shall consist of: a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of his ordinary disability retirement; and a state annuity which, together with the member annuity, shall be equal to 1.5 percent of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at that time of his ordinary disability retirement. However, regardless of age at disability, the ordinary disability retirement allowance shall not be less than 25 percent of the member's average final compensation at the time of his ***or her*** disability retirement.

175 Accidental Disability Retirement; Group I. Amend RSA 100-A:6, I(d) to read as follows:

(d)(1) Upon accidental disability retirement, the group I member who has attained age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011*** shall receive an accidental disability retirement allowance which shall consist of a member annuity and shall be the actuarial equivalent of the member's accumulated contributions at the time of his accidental disability retirement, and a state annuity as follows:

(A) Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his accidental disability retirement multiplied by the number of years of creditable service at the time of his accidental disability retirement;

(B) After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his accidental disability retirement multiplied by the number of years of creditable service at the time of his accidental disability retirement;

(C) Regardless of age at disability, such allowance shall not be less than 50 percent of the member's average final compensation at the time of his accidental disability retirement.

(2) Upon accidental disability retirement, the group I member who has not attained age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011*** shall receive an accidental

disability retirement allowance which shall consist of: the member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of his accidental disability retirement; and a state annuity which, together with the member annuity, shall be equal to 50 percent of the member's average final compensation at the time of his disability retirement.

176 Vested Deferred; Group II Age Increased. Amend RSA 100-A:10, II(b) to read as follows:

(b) ***For members who commenced service before July 1, 2011***, upon the member's attainment of age 45, provided the member would then have completed 20 years of creditable service, otherwise the subsequent date on which such 20 years would have been completed, ***or for members who commenced service after June 30, 2011, upon the member's attainment of age 50, provided the member would then have completed 25 years of creditable service, otherwise the subsequent date on which such 25 years would have been completed***, or at any time after age 60, a group II member who meets the requirement of subparagraph (a) may make application on a form prescribed by the board of trustees and receive a vested deferred retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of accumulated contributions on the date the member's retirement allowance commences; and (2) A state annuity which, together with the member annuity, shall be equal to a service retirement allowance based on the member's average final compensation and creditable service at the time the member's service is terminated.

177 Return of Contributions. Amend RSA 100-A:11, I(c) to read as follows:

(c) Upon the death of a group I member who has elected, pursuant to RSA 100-A:10, to receive a vested deferred retirement allowance before his ***or her*** attainment of age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011***, the amount of his accumulated contributions at the time of his ***or her*** death shall be paid to the person or persons, if any, nominated by ~~him~~ ***the member***, if living, otherwise to the member's estate.

178 Split Benefits; Minimum Age. Amend RSA 100-A:19-b to read as follows:

100-A:19-b Minimum Age. For the purposes of this subdivision only, minimum age shall mean:

I. For a member who has completed less than 20 years combined creditable service in both group I and group II, 60 years ***if the member commenced service before July 1, 2011 or 65 years if the member commenced service on or after July 1, 2011***.

II. For a member ***who commenced service before July 1, 2011 and***, who has completed 20 or more years of combined creditable service, one year shall be deducted from age 60 for each year of creditable group II service, provided that the age shall not be less than 45 years. ***For a member who commenced service on or after July 1, 2011 and, who has completed 25 or more years of combined creditable service, one year shall be deducted from age 65 for each year of creditable group II service, provided that the age shall not be less than 50 years.***

179 Split Benefits; Reduced Early Retirement; Minimum Age. Amend RSA 100-A:19-d to read as follows:

100-A:19-d Reduced Early Retirement. Notwithstanding any other provision of law, any retirement system member who has creditable service in both group I and group II with at least 10 years combined creditable service, and who has attained an age which is at least 45 ***for members who commenced group II service prior to July 1, 2011 or at least 50 for members who commenced group II service on or after July 1, 2011*** and is within 10 years of the minimum age set forth in RSA 100-A:19-b, may elect to retire and have benefits commence immediately as a reduced split-benefit service retirement allowance. Application shall be as provided in RSA 100-A:5, I(c). The allowance shall be determined as a split-benefit service retirement allowance in accordance with RSA 100-A:19-c, and the total combined split-benefit service allowance shall be reduced by the percentages shown in RSA

100-A:5, I(c), based on the total combined length of creditable service, for each month by which the date on which benefits commence precedes the month after which the member attains the minimum age set forth in RSA 100-A:19-b.

180 State Employees; Retirement. Amend RSA 21-I:30, II(a) to read as follows:

(a) Has at least 10 years of creditable service for the state if the employee's service began prior to July 1, 2003 or 20 years of creditable service if the employee's service began on or after July 1, 2003, and who also is at least 60 years of age at the time of retirement ***if the employee commenced service before July 1, 2011 or at least 65 years of age at the time of retirement if the employee commenced services on or after July 1, 2011;*** or

Amend section 465 of the bill by deleting paragraph VII

AMENDED ANALYSIS

64. Makes various changes to the state retirement system for beginning July 1, 2011, including:

(a) Increasing retirement ages of group I and group II members for service retirement, disability retirement, vested deferred retirement, and split benefits.

(b) Changing the definitions of earnable compensation and average final compensation used in calculating retirement benefits.

(c) Increasing certain group I and group II retirement system member contribution rates.

(d) Eliminating the state share of retirement system employer contributions for group I and group II members not employed by the state.

(e) Increasing the monthly contribution for medical benefits paid by retired state employees under age 65.

2011-1273h

Floor Amendment to HB 2-FN-A-LOCAL Proposed by Reps. Rosenwald and Nordgren

Amend the bill by replacing sections 36-41 with the following:

34 Uncompensated Care Fund. Amend RSA 167:64, I to read as follows:

I. There is hereby established in the state treasury an uncompensated care fund which shall consist of the moneys collected pursuant to RSA 84-A. Investment earnings of the fund shall be credited to the fund. Moneys paid into the fund shall be exempt from any state budget reductions, and the commissioner is authorized to expend these funds, together with matching federal funds, as follows:

(a) No less than ~~[50]~~ **40** percent of the moneys paid into the fund shall be utilized to support uncompensated care in hospitals in accordance with rules adopted by the commissioner, pursuant to RSA 541-A.

(b) The commissioner is hereby authorized and directed to develop and implement, ***in connection with the payment by the state to hospitals for reimbursement of uncompensated care costs for state fiscal year 2012 and thereafter,*** a schedule of payments for reimbursement of the uncompensated care costs of those hospitals that are subject to the tax liability imposed under RSA 84-A and that participate in the state Medicaid program. The ***reimbursement of uncompensated care costs paid in state fiscal year 2012 and each year thereafter shall be in accordance with the*** schedule of payments to hospitals ~~[shall]~~ ***that*** take effect on ~~[January]~~ ***or before July 1, 2011,*** subject to the prior review and approval of ~~[the fiscal committee of the general court and]~~ the federal Centers for Medicare and Medicaid Services, and shall be structured in a manner that ~~[- (i) reduces to the greatest extent practicable the disproportionate impact among hospitals of uncompensated care costs; (ii) permits maximum available federal financial participation for these payments in accordance with Title XIX of the Social Security Act; and (iii)]~~ is consistent with all federal laws and regulations governing Title XIX disproportionate share hospital payment adjustments and permissible sources of state

financial participation as provided for under 42 C.F.R. part 433 **and all other applicable federal regulations.**

(c) For purposes of this section, uncompensated care costs shall include: charity care costs, any portion of Medicaid patient care costs that are unreimbursed by Medicaid payments, and any portion of bad debt costs that the commissioner determines would meet the criteria under 42 U.S.C. section 1396r-4(g) governing hospital-specific limits on disproportionate share hospital payments under Title XIX of the Social Security Act.

(d) The commissioner may provide reimbursement for uncompensated care costs in accordance with the approved schedule of payments through either Medicaid fee for service rate adjustments or disproportionate share hospital payment adjustments, or a combination thereof. Funds available under this section shall be ~~[first] allocated [to ensure that critical access hospitals and rehabilitation hospitals receive reimbursement for reported uncompensated care costs at the rate of 100 percent of the individual hospital limit for disproportionate share payments]~~ as determined by the commissioner consistent with the provisions of 42 U.S.C. section 1396r-4(g). ~~[Non-critical access hospitals shall receive reimbursement at the highest uniform percentage of each hospital limit as the funds made available under this section permit.]~~ The commissioner may create additional categories of need and make further reasonable distinctions among hospitals when determining the methodology for payments under this section, as necessary, to ensure that no hospital is unduly burdened by the fiscal effect of uncompensated care costs.

(e) One percent of the payments made from the class lines in the budget of the office of the commissioner, department of health and human services, entitled "hospital disproportionate share," "New Hampshire hospital disproportionate share," and "hospital uncompensated care pool" shall be placed in a separate class line reserved for the expenses of the department in administering this subdivision.

(f) For fiscal year 2012 and every fiscal year thereafter, 10 percent of the revenue collected under RSA 84-A shall be made available to the department of health and human services to support medical provider payments and shall not be paid into the general fund.

35 Uncompensated Care Fund; Duties of the Commissioner. Amend RSA 167:65, II and III to read as follows:

II. Seek input from the ~~[chairman of the]~~ senate health and human services committee, the ~~[chairman of the]~~ house health, human services and elderly affairs committee, the ~~[chairmen of the]~~ house and senate finance committees, the insurance department, and ~~[representatives of]~~ **from the** hospitals currently participating in the uncompensated care program ~~[in developing]~~ **during the development of** the uncompensated care payment system required under paragraph I, and present a report ~~[detailing all the options and making recommendations]~~ **describing the proposed payment system** to the oversight committee on health and human services, established under RSA 126-A:13, ~~[not later than January 1, 2010]~~ **prior to the payments being made.**

III. Submit the Medicaid state plan amendment and an estimate of the fiscal impact of such plan amendment to the fiscal committee of the general court for its review ~~[and approval]~~ prior to submission of the plan amendment to the federal Centers for Medicare and Medicaid Services and implementation of the plan.

AMENDED ANALYSIS

28. Clarifies the allocation and use of the moneys in the uncompensated care fund.

2011-1236h

Floor Amendment to HB 160

Proposed by Rep. Renzullo

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

AN ACT relative to the powers of the joint committee on legislative facilities.

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

1 Joint Committee on Legislative Facilities; Powers and Duties. Amend RSA 17-E:5-a, VIII to read as follows:

VIII. To establish policies regarding the use of the facilities under control of the legislature in the state house, the legislative office building, the Upham Walker house, parking garages and lots, and any future facility that may come under legislative management. ***Beginning July 1, 2011, nothing in this paragraph shall authorize the committee to revise or establish a policy on the carrying of weapons in the state house complex, unless such policy revision or establishment is approved by legislation adopted by the general court.***

2 Effective Date. This act shall take effect July 1, 2011.

AMENDED ANALYSIS

This bill requires that beginning July 1, 2011, any policy revision concerning the carrying of weapons in the state house complex must be by legislation adopted by the general court.

2011-1229h

Floor Amendment to HB 580-FN-LOCAL

Proposed by Rep. Shurtleff

Amend the bill by replacing sections 2 - 18 with the following and renumbering the original sections 19 - 38 to read as 17 - 36, respectively:

2 Retirement System; Definitions; Average Final Compensation. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean, ***for members who commenced service prior to July 1, 2011***, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. ***For members who commenced service on or after July 1, 2011, "average final compensation" shall mean the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years.***

3 Retirement System; Definition of Earnable Compensation. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For all members ***who commenced service prior to July 1, 2011***, the full base rate of compensation paid plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, additional pay for extracurricular and instructional activities or for other extra or special duty, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1- 1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees, teachers, permanent firemen, and permanent policemen who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the

limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b) For any member who commenced service on or after July 1, 2011, the full base rate of compensation paid plus holiday pay, vacation pay, and sick pay, and any compensation for mandatory training and any military differential pay. Earnable compensation shall not include pay for accumulated unused sick or vacation time. However, earnable compensation in the final 2 12-month periods of creditable service prior to termination of employment shall each be limited to 1-1/2 times the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 24 months. Any compensation received in the final 24 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees, teachers, permanent firemen, and permanent policemen. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position.

4 Membership; Employees; Full-Time Requirement. Amend RSA 100-A:3, III to read as follows:

III. The board of trustees may, in its discretion, accept as members any class of ***full-time*** employees, ***or any class of*** teachers, permanent policemen or permanent firemen, whose compensation is only partly paid by an employer or who are serving on a temporary or other than per annum basis, and it may also, in its discretion, make optional with ***such*** employees, teachers, permanent policemen or permanent firemen in any such class their individual entrance into membership. ***Provided, however, that membership as an employee as defined in RSA 100-A:1, V shall require full-time employment, which shall not be satisfied by the combination of service in one or more part-time positions. In addition, no member in a full-time position as an employee shall be permitted to make contributions or to accrue benefits under this chapter on account of any such part-time employment. Any rule or practice adopted by the board which is inconsistent with the requirements of this paragraph shall be without effect.***

5 Service Retirement; Age Increased. Amend RSA 100-A:5 to read as follows:

100-A:5 Service Retirement Benefits.

I. Group I Members.

(a) Any group I member, ***who*** may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time, not less than 30 days nor more than 90 days subsequent to the filing thereof, the member desires to be retired, provided the member at the time so specified for retirement has attained age 60 ***if the member commenced service before July 1, 2011 or age 65 if the member commenced service on or after July 1, 2011***, and notwithstanding that during such period of notification the member may have separated from service. For the purposes of this section, a teacher member of group I who remains in service throughout a school year shall be deemed to be in service during July and August at the end of such school year.

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation multiplied by the number of years of creditable service. After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service.

(c) Notwithstanding any other provision of law, any group I member who meets the requirements of RSA 100-A:10, I(a), and who has either completed at least 20 years of creditable service which, when combined with his *or her* age equals at least 70 years, or who has attained the age of 50, but not the age of 60 ***if the member commenced service before July 1, 2011, or when combined with his or her age equals at least 75 years, or who has attained the age of 55, but not the age of 65 if the member commenced service on or after July 1, 2011***, may elect to retire and have benefits commence immediately as a reduced service retirement allowance upon written application to the board of trustees setting forth the time, not less than 30 days nor more than 90 days subsequent to the filing thereof, at which the member desires to have benefits commence. The service retirement allowance shall be determined in accordance with RSA 100-A:5, I(b) and shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 60 years of age ***if the member commenced service before July 1, 2011 or 65 years of age if the member commenced service on or after July 1, 2011***, by 1/8 of one percent if the member has 35 years or more of creditable service, by 1/4 of one percent if the member has 30 years but less than 35 years of creditable service, by 1/3 of one percent if the member has at least 25 years but less than 30 years of creditable service, by 5/12 of one percent if the member has at least 20 years but less than 25 years of creditable service, and by 5/9 of one percent if the member has less than 20 years of creditable service.

(d) [Repealed.]

II. Group II Members.

(a)(1) Any group II member in service, ***who commenced service before July 1, 2011***, who has attained age 45 and completed 20 years of creditable service, or who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service.

(2) Any group II member in service who commenced service on or after July 1, 2011, who has attained age 50 and completed 25 years of creditable service, or who has attained age 65 regardless of the number of years of creditable service, may retire and receive a service retirement allowance beginning upon the attainment of age 55 upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(2) ***For members who commenced service before July 1, 2011***, a state annuity which, together with his *or her* member annuity, shall be equal to 2-1/2 percent of his *or her* average final compensation multiplied by the number of years of his *or her* creditable service not in excess of 40 years, ***or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity,***

shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 25 years.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who **commenced service before July 1, 2011 and** has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service shall receive a minimum annual service retirement allowance of \$10,000, **and any group II member commenced service on or after July 1, 2011 and has retired on or after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, shall receive beginning upon the attainment of age 55 a minimum annual service retirement allowance of \$10,000.** If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the \$10,000.

(2) [Repealed.]

(3) [Repealed.]

6 Disability Retirement; Group I Age Increased. Amend RSA 100-A:6, I(b) to read as follows:

(b)(1) Upon ordinary disability retirement, the group I member who has attained age 60 **if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011** shall receive an ordinary disability retirement allowance which shall consist of a member annuity and shall be the actuarial equivalent of the member's accumulated contributions at the time of his ordinary disability retirement, and a state annuity as follows:

(A) Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at the time of his ordinary disability retirement;

(B) After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at the time of his ordinary disability retirement;

(C) Regardless of age at disability, the ordinary disability retirement allowance shall not be less than 25 percent of the member's average final compensation at the time of his **or her** disability retirement.

(2) Upon ordinary disability retirement, the group I member who has not attained age 60 **if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011** shall receive an ordinary disability retirement allowance which shall consist of: a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of his ordinary disability retirement; and a state annuity which, together with the member annuity, shall be equal to 1.5 percent of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at that time of his ordinary disability retirement. However, regardless of age at disability, the ordinary disability retirement allowance shall not be less than 25 percent of the member's average final compensation at the time of his **or her** disability retirement.

7 Accidental Disability Retirement; Group I. Amend RSA 100-A:6, I(d) to read as follows:

(d)(1) Upon accidental disability retirement, the group I member who has attained age 60 **if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011** shall receive an accidental disability retirement allowance which shall consist of a member annuity and shall be the actuarial equivalent of the member's accumulated contributions at the time of his accidental disability retirement, and a state annuity as follows:

(A) Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his accidental disability retirement multiplied by the number of years of creditable service at the time of his accidental disability retirement;

(B) After attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his accidental disability retirement multiplied by the number of years of creditable service at the time of his accidental disability retirement;

(C) Regardless of age at disability, such allowance shall not be less than 50 percent of the member's average final compensation at the time of his accidental disability retirement.

(2) Upon accidental disability retirement, the group I member who has not attained age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011*** shall receive an accidental disability retirement allowance which shall consist of: the member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of his accidental disability retirement; and a state annuity which, together with the member annuity, shall be equal to 50 percent of the member's average final compensation at the time of his disability retirement.

8 Ordinary Disability Retirement; Group II. Amend RSA 100-A:6, II(b) to read as follows:

(b) Upon ordinary disability retirement, the group II member shall receive an ordinary disability retirement allowance which shall consist of: a member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his ***or her*** ordinary disability retirement; and a state annuity which, together with his ***or her*** member annuity, ***for members who commenced service before July 1, 2011***, shall be equal to 2-1/2 percent of his ***or her*** average final compensation at the time of ~~his~~ ordinary disability retirement multiplied by the number of years of his ***or her*** creditable service not in excess of 40 at the time of ~~his~~ ordinary disability retirement, ***or for members who commenced service on or after July 1, 2011, shall be equal to 2 percent of his or her average final compensation at the time of ordinary disability retirement multiplied by the number of years of his or her creditable service not in excess of 25 at the time of ordinary disability retirement***, provided, however, that such allowance shall not be less than 25 percent of the member's final compensation at the time of his ***or her*** disability retirement.

9 Accidental Disability Retirement; Group II. Amend RSA 100-A:6, II(d) to read as follows:

(d)(1) Upon accidental disability retirement, the group II member ***who commenced service before July 1, 2011***, shall receive an accidental disability retirement allowance equal to 2/3 of his ***or her*** average final compensation at the time of ~~his~~ disability retirement, ***and the group II member who commenced service on or after July 1, 2011, shall receive an accidental disability retirement allowance equal to 1/2 of his or her average final compensation at the time of disability retirement***.

(2) For any group II member who has more than 26-2/3 years of service, a supplemental disability retirement allowance shall be paid. Such supplement shall be equal to 2-1/2 percent of his ***or her*** average final compensation multiplied by the number of years of his ***or her*** creditable service in excess of 26-2/3 but not in excess of 40 years. ***Provided however that an accidental disability retirement allowance together with a supplemental disability retirement allowance, as provided in this subparagraph, shall not exceed 100 percent of the disability retiree's average final compensation.***

10 Vested Deferred; Group II Age Increased. Amend RSA 100-A:10, II(b) to read as follows:

(b) ***For members who commenced service before July 1, 2011***, upon the member's attainment of age 45, provided the member would then have completed 20 years of

creditable service, otherwise the subsequent date on which such 20 years would have been completed, or at any time after age 60, ***or for members who commenced service on or after July 1, 2011, upon the member's attainment of age 50, provided the member would then have completed 25 years of creditable service, otherwise the subsequent date on which such 25 years would have been completed, or at any time after age 65,*** a group II member who meets the requirement of subparagraph (a) may make application on a form prescribed by the board of trustees and receive a vested deferred retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of accumulated contributions on the date the member's retirement allowance commences; and (2) A state annuity which, together with the member annuity, shall be equal to a service retirement allowance based on the member's average final compensation and creditable service at the time the member's service is terminated.

11 Return of Contributions. Amend RSA 100-A:11, I(c) to read as follows:

(c) Upon the death of a group I member who has elected, pursuant to RSA 100-A:10, to receive a vested deferred retirement allowance before his ***or her*** attainment of age 60 ***if the member commenced service before July 1, 2011 or the age of 65 if the member commenced service on or after July 1, 2011,*** the amount of his ***or her*** accumulated contributions at the time of his ***or her*** death shall be paid to the person or persons, if any, nominated by ~~him~~ ***the member,*** if living, otherwise to the member's estate.

12 Split Benefits; Minimum Age. Amend RSA 100-A:19-b to read as follows:

100-A:19-b Minimum Age. For the purposes of this subdivision only, minimum age shall mean:

I. For a member who has completed less than 20 years combined creditable service in both group I and group II, 60 years ***if the member commenced service before July 1, 2011 or 65 years if the member commenced service on or after July 1, 2011.***

II. For a member ***who commenced service before July 1, 2011 and,*** who has completed 20 or more years of combined creditable service, one year shall be deducted from age 60 for each year of creditable group II service, provided that the age shall not be less than 45 years. ***For a member who commenced service on or after July 1, 2011 and, who has completed 25 or more years of combined creditable service, one year shall be deducted from age 65 for each year of creditable group II service, provided that the age shall not be less than 50 years.***

13 Split Benefits; Reduced Early Retirement; Minimum Age. Amend RSA 100-A:19-d to read as follows:

100-A:19-d Reduced Early Retirement. Notwithstanding any other provision of law, any retirement system member who has creditable service in both group I and group II with at least 10 years combined creditable service, and who has attained an age which is at least 45 ***for members who commenced group II service prior to July 1, 2011 or at least 50 for members who commenced group II service on or after July 1, 2011*** and is within 10 years of the minimum age set forth in RSA 100-A:19-b, may elect to retire and have benefits commence immediately as a reduced split-benefit service retirement allowance. Application shall be as provided in RSA 100-A:5, I(c). The allowance shall be determined as a split-benefit service retirement allowance in accordance with RSA 100-A:19-c, and the total combined split-benefit service allowance shall be reduced by the percentages shown in RSA 100-A:5, I(c), based on the total combined length of creditable service, for each month by which the date on which benefits commence precedes the month after which the member attains the minimum age set forth in RSA 100-A:19-b.

14 State Employees; Retirement. Amend RSA 21-I:30, II(a) to read as follows:

(a) Has at least 10 years of creditable service for the state if the employee's service began prior to July 1, 2003 or 20 years of creditable service if the employee's service began on or after July 1, 2003, and who also is at least 60 years of age at the time of retirement ***if the employee commenced service before July 1, 2011 or at least 65 years***

of age at the time of retirement if the employee commenced service on or after July 1, 2011; or

15 State Employees; Group Insurance Benefits; Group II. Amend RSA 21-I:30, III to read as follows:

III. Any vested deferred state retiree may receive medical and surgical benefits under this section if the vested deferred state retiree is eligible. To be eligible, a group I vested deferred state retiree shall have at least 10 years of creditable service with the state if the employee's service began prior to July 1, 2003 or 20 years of creditable service with the state if the employee's service began on or after July 1, 2003 and a group II vested deferred state retiree shall have at least 20 years of creditable service with the state if the employee's service with the state began on or after July 1, 2010. In addition, if the vested deferred state retiree is a member of group I, such retiree shall be at least 60 years of age to be eligible ***if the member commenced service before July 1, 2011 or 65 years of age if the member commenced service on or after July 1, 2011.*** If the vested deferred state retiree is a member of group II ***who commenced service before July 1, 2011***, such retiree shall not be eligible until 20 years from the date of becoming a member of group II and shall be at least 45 years of age, ***and any group II member who commenced service on or after July 1, 2011 shall not be eligible until 25 years from the date of becoming a member of group II and shall be at least 50 years of age.***

16 Financing; Contribution Rates; Group II Member Payroll Deduction. Amend RSA 100-A:16, I(a) to read as follows:

(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon the member's employment classification at the rate determined in accordance with the following table:

Employees of employers other than the state ***hired on or before June 30, 2011***, 5.00

Employees of the state hired on or before June 30, 2009, 5.00

Employees of the state hired after June 30, 2009, 7.00

Teachers ***hired on or before June 30, 2011***, 5.00

Permanent Policemen ***hired on or before June 30, 2011***, 9.30

Permanent Firemen ***hired on or before June 30, 2011***, 9.30

Group I members hired after June 30, 2011, 7.00

Group II permanent fireman members hired after June 30, 2011, 11.80

Group II permanent police members hired after June 30, 2011, 11.55

The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, except group II members ***who commenced service before July 1, 2011*** with creditable service in excess of 40 years ***or group II members who commenced service on or after July 1, 2011 with creditable service in excess of 25 years***, as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), on each and every payroll of such employer for each and every payroll period, the percentage of earnable compensation applicable to such member. No deduction from earnable compensation under this paragraph shall apply to any group II member ***who commenced service before July 1, 2011*** with creditable service in excess of 40 years, ***or group II member who commenced service on or after July 1, 2011 with creditable service in excess of 25 years***, as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), and this provision for such members shall not affect the method of determining average final compensation as provided in RSA 100-A:1, XVIII. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if such person was not a member on the first day

of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed 1/10 of one percent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the member annuity savings fund, of the member from whose compensation the deduction was made.

Amend paragraph II of section 32 of the bill by replacing it with the following:

II. If as provided in paragraph I of this section, any phrase, clause, sentence, or provision is held contrary to the constitution of this state or of the United States, the remaining provisions of the act shall be in full force and effect as to all severable matters, and section 33 of this act shall take effect on the July 1 next following the date that the board of trustees certifies to the secretary of state and the director of legislative services of the occurrence of a final ruling on the declaration described in paragraph I.

Amend paragraph I of section 36 of the bill by replacing it with the following:

I. Section 33 of this act shall take effect as provided in section 32 of this act.