



State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court Calendar and Journal of the 2013 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 35

Concord, N.H.

Friday, March 29, 2013

No. 28

Contains: Meetings, Notices, Reports and Amendments for April 3.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House Session will be on **Wednesday, April 3rd**, at 10:00 a.m. Please reserve Thursday, April 4th, for session if needed.

The amendments to HB 25, the capital budget, and HB 2-FN-A, the trailer bill, are included in this calendar. The amendments to HB 1-A, the operating budget, are being printed separately. They will be available online as soon as possible and in print form at the State House.

As noted below, the House Finance Committee will be holding briefings on House Bills 1-A and 2-FN-A on Monday, April 1st. I urge you to take advantage of this opportunity so we can all be better informed prior to acting on them next week.

Thanks to all members and staff for your hard work in getting out all non-budget House bills to allow us to focus our attention next week on the budget bills. Senate bills are now being referred to House committees.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **April 3** at **9:00 a.m.** in Representatives Hall.

Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **April 3** at **9:00 a.m.** in Rooms 305-307, LOB.

Rep. Gene G. Chandler, Republican Leader

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, 2014 and June 30, 2015 and **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures in **Representatives Hall** on **Monday, April 1st** from **1:00 to 2:30 p.m.**

Rep. Mary Jane Wallner, Chairman
Finance Committee

NOTICE

The House Calendar closes at **3:00 p.m. on Wednesdays** for **ALL** scheduling and notices. It closes at **NOON** on **Thursdays** for Committee Reports. Please be sure to do your scheduling in order to meet that deadline.

CLOSES NOON THURSDAY:

April 4
April 11
April 18

AVAILABLE FRIDAY:

April 5
April 12
April 19

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

Thursday April 4, 2013	CROSSOVER Last day to act on budget bills
Thursday, May 2, 2013	Last day to report Senate Bills going to a second committee
Thursday, May 9, 2013	Last day to act on Senate Bills going to a second committee
Thursday, May 30, 2013	Last day to report all remaining Senate Bills
	Last day to report list of retained Senate Bills
Thursday, June 6, 2013	Last day to act on Senate Bills
Thursday, June 13, 2013	Last day to form Committees of Conference
Thursday, June 20, 2013	Last day to sign Committee of Conference reports (4:00 pm)
Thursday, June 27, 2013	Last day to act on Committee of Conference reports

WEDNESDAY, APRIL 3 REGULAR CALENDAR

FINANCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Jane Wallner for the **Majority** of Finance: The proposed budget for 2014/2015 represents a process of re-building from the 2012/2013 budget, in which a number of the state's most important programs and services experienced significant reductions. In the health and human services area, appropriations did not meet projected need, and a waitlist for individuals with developmental disabilities began again after having been eliminated in the prior budget. Inadequate services continued in mental health services, leading to a system in chaos, with dozens of people experiencing psychiatric crisis waiting in emergency rooms across the state for a bed to open at New Hampshire Hospital. The state is facing federal litigation over its ability to provide mental health services to citizens in the community. The near-elimination of the Children in Need of Services program (CHINS) has shifted costs for at-risk minors to local budgets and left children with serious behavioral problems untreated. Funding for higher education was slashed, with appropriations to the university system decreased by half and by a third to the community colleges. Tuitions jumped, and the community colleges have seen enrollment stagnate.

Building a budget for fiscal years 2014 and 2015 has not been easy. We started from a point of previous budget reductions, made more difficult by tax cuts layered upon an economy still in recovery from the worst economic recession in memory. This is a careful budget, too, increasing general funds 3% over the biennium. Our priorities include rebuilding New Hampshire's essential human services, safety net, and education infrastructure. Our budget restores full funding to eliminate the Developmental Disabilities waitlist for the more than 650 individuals currently waiting and those who will turn 21 and become eligible in the next two years. We have made major investments in the state's 10 year mental health plan, significantly improving treatment resources for our residents who suffer from serious mental illness. The CHINS program will be restored, serving hundreds of at-risk children before they wind up in the criminal justice system. New Hampshire Legal Assistance receives additional funding, to help restore the appropriation cut in the last biennium, and funding for legal representation for indigent parents in cases of abuse and neglect is restored. We have begun to restore funding to our larger hospitals to help make up for the uncompensated care they provide. This budget also adopts the expansion of Medicaid to thousands of New Hampshire residents who are newly eligible under the Affordable Care Act at a net general fund cost for the biennium of \$1.3 million.

Full funding is restored to the community colleges, a top source of enrollment and thus revenue for the university system. The university system will receive an investment of more than \$150 million. This budget also repeals the education tax credit program, which will divert public resources to private and religious schools. \$25 million is appropriated to assist local and county taxpayers: \$5 million extra Meals and Rooms tax revenue to cities and towns, \$15 million to counties for long term care, and \$5 million to 60 cities and towns for drinking water, waste water, and landfill grants. We invest \$5 million in LCHIP to save important New Hampshire resources.

The proposed budget for 2014/2015 makes significant investments to fund the essential services citizens expect of government. These investments will help New Hampshire continue to be the best state in which to live, work, and raise a family. **Vote 14-8.**

Rep. Neal M Kurk for the **Minority** of Finance: This budget is balanced on paper, but in ways that create more problems than they solve. This budget relies on rather rosy revenue estimates - some \$31 million higher than prudent estimates by those with an exceptional track record for accuracy. The same "rosy revenue estimates" approach was taken to balance the 2009/10 budget, and it required a special session of the legislature

to resolve. This budget relies on \$17 million of one-time tobacco settlement money to pay for on-going appropriations. As a result, the next budget will start off \$17 million in deficit. This budget relies on \$60 million in additional revenue from a 30c tobacco tax increase - 10c more than the House position - and on \$14 million by suspending business tax reductions scheduled to take effect this July. The result: small and large businesses hurt, fewer jobs created and a slower economy - not good public policy when 40,000 Granite Staters are looking for work. A 12c increase in the gas tax only makes matters worse. This budget intentionally underfunds at least two important state functions - a likely \$4 million shortfall in the overtime line at the state prison for men and a likely \$1.2 million shortfall in indigent parent defense funds - and authorizes the Fiscal Committee to cover the shortfalls by tapping into any surplus or increasing any deficit. This is not truth in budgeting. This budget also diverts about \$27 million more from the highway fund to the general fund than current statute authorizes. This money pays for traffic-related expenses in the Department of Safety. Were the current statute followed, the highway fund would receive an additional \$27 million, cutting over 3c per gallon off any proposed gas tax increase. This budget substantially expands the size of state government. In total funds, it's 10.2% larger than the current budget, growing state government at more than 5% per year at a time when the state's economy is growing around 2%. Part of that growth is expanded Medicaid under the Affordable Care Act ("Obamacare"). The cost: \$1.3 million in this budget, with likely tens of millions more in future years. Yet, despite all of its additional revenue, this budget fails to provide the \$7.2 million building aid for new school projects contemplated in the recent changes to the school building aid program. Indeed, for all its appropriations for health and human services, this budget does little to encourage economic growth and, in fact, sends the message to our business community that we plan to take millions more from them to grow state spending. This will hurt our state's employers' ability to invest, expand and create jobs. This is the wrong message to send.

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

Rep. Mary Jane Wallner for the **Majority** of Finance: This bill, referred to as the trailer bill, enables House Bill 1.

The Finance Committee accepted the Ways and Means Committee's revenue estimates. In addition, we agreed to the Governor's request to restore the 10 cents cut from the tobacco tax in the previous budget and raise it by an additional 20 cents. We accepted the Governor's recommendation to suspend or delay new business tax credits. The passage of these initiatives by the prior legislature was irresponsible in that concurrent program cuts were never identified.

House Bill 2 creates a new Office of Innovation and Efficiency to help ensure that state government functions are streamlined. We have fully funded the delayed drinking water, waste water and landfill projects in FY '15 so as to benefit 60 communities. There is a new provision that if transfers of real estate deeds occur, extra revenue goes to the Land and Community Heritage Investment Program (LCHIP). HB 2 returns the Liquor Commission to a single commissioner, appointed by the Governor and approved by the Executive Council. The bill includes a new scholarship for members of the National Guard.

Because we have been unable to start funding new programs, HB 2 does not contain funding for additional school building aid, except in certain cases where safety is an issue, nor from additional charter schools. It also repeals the education tax credit program created in the previous budget that will otherwise divert millions of dollars in public resources to private and religious schools.

HB 2 includes language to expand the Medicaid program to low income residents who are not otherwise eligible, along with a provision that the state may opt out of expansion at any time. A recent study suggests Medicaid expansion will contribute to \$2.5 billion in federal funds flowing into New Hampshire during this decade, creating more than 5,000 jobs, and leading to economic expansion. The Insurance Commissioner has stated that Medicaid expansion is expected to have a beneficial effect on the commercial insurance market. Uncompensated care will begin to decline, mitigating the cost shifting that is so harmful to businesses. The bill also contains a new distribution formula for uncompensated care. In addition, the bill establishes a commission to seek out a long term solution for this revenue stream.

The bill lowers the cap on costs counties pay for long term care. It extends the nursing home bed moratorium and makes changes to the Certificate of Need process, eliminating conflict of interest on the board and repealing the sunset.

HB 2 includes the increase in the gas tax (road toll) passed by the House. Finally, it includes a so-called "waterfall" provision to include specific appropriations if there is a surplus in this fiscal year and FY 2014.

Vote 14-8.

Rep. Neal M Kurk for the **Minority** of Finance: Too many of the statutory changes in this bill are not in the best interests of New Hampshire. Section 9 increases the so-called "cap" on the amount of money counties must pay for their residents' nursing home and other long-term care services. The higher the cap, the more it costs county property taxpayers, and the less is paid by the state's general fund. The result of the cap increase is a true downshift of at least \$7 million to county property taxpayers. Section 60 authorizes

expanded Medicaid at a significant, yet-to-be-determined cost to the state budget that could be as high as \$85 million over the next six years. Section 88 limits the amount of money available to fund existing charter schools, and section 152 imposes a moratorium on new charter schools. This is not in the best interests of the state's school children. Section 91 repeals the education tax credits that fund the "opportunity scholarship" program enacted last session, potentially denying 2,500 low- and middle-income students the chance to join their wealthier peers and attend a school of their choice. Section 130 transfers to the governor part of the legislature's budgetary prerogative, allowing her unlimited authority to "raid" any amount from any and all dedicated funds to deal with the current budget deficit. The majority's surplus/deficit statement indicates the amount needed to be \$22.6 million. Despite a requirement that such transfers from dedicated funds to the general fund be approved by the Fiscal Committee, all dedicated funds, including LCHIP, Fish and Game and renewable energy funds, are at risk.

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 Capital Budget addresses the non-highway capital improvements, needs, repairs and investments in state-owned buildings, facilities, parks, Career Technical Centers, post-secondary public institutions, etc. As capital expenditures, these costs are bonded typically over 20 years, and less for equipment and information technology. Critical and deferred maintenance makes up a large part of this budget.

The Capital Budget as amended reduces the General Fund portion as proposed by the Governor by over \$5.2 million, and provides for various matching funds, which bring in over \$51 million in new federal monies. The State's capital needs far exceed what it can afford, but importantly this budget is less than the State Treasurer's recommended maximum of \$125 million in General Fund bonds based on the State's debt ratio and affordability. The committee also reduced the amount of Highway Funds to be bonded by almost \$7 million (34%) from the bill as proposed.

The biggest and most controversial item in this budget was the expenditure of \$38 million in this biennial budget for a new Women's State Prison. The committee tried to spread these costs out over two biennia, but ultimately, concluded this was impractical based on input from Administrative Services (regarding contractual issues) and the Attorney General's office (regarding a current law suit over the Women's Prison). The Committee established the site for the prison as adjacent to the existing Men's Prison in Concord. This will result in savings by utilizing existing infrastructure, programs and staffing efficiencies. This bill also requires a great deal of legislative accountability by the Capital Budget Overview Committee.

Administrative Services received additional funding under this bill for a number of prioritized deferred maintenance projects (mostly new roofs) in Executive, Legislative and Judicial buildings. This budget also completes the funding of the repair and refurbishment of the State House dome and adds a new voting system for Representatives Hall.

As in the last several biennia, the committee has recommended that the House provide funds for renovation and upgrading of equipment for two regional Career and Technical Centers (CTE's). The two funded in HB25 are located in Whitefield and Salem and serve a total of 29 communities and their respective high schools' technical education programs.

Environmental Services receives about 80% in matching federal funds for municipal waste water and drinking water programs. Additionally, money is appropriated for dam repair and replacement.

Health and Human Services also receives a great deal of federal funds under this budget. This bill includes \$2.1 million for the construction of ten new Psychiatric Crisis Beds at the State Hospital.

This bill funds the Bureau of Information Technology and continues to make computer, network and security upgrades, including additional funds for the Business One Stop Center. The Business One Stop Center is designed to make it easier for new and existing businesses to interact with the State, and help NH compete for businesses with other states by becoming a model for business access and efficiency. However, the committee reduced the funding of this project by \$2.6 million based on its' view of what could be completed in two years. The capital bonding for the Judicial Branch includes completing the funding of the E-Court initiative, saving time and travel expenses for State, County and Local officials.

HB 25 funds important equipment upgrades at the Veteran's Home by receiving a 2/3 federal match of over \$1 million.

In an effort to continue to maximize liquor revenues to the state this Capital Budget includes funding for three new liquor stores (in Salem, Epping and Warner) from the Liquor Enterprise Fund. The recent stores recommended by the Liquor Commission have paid themselves back well ahead of the estimates. For example, the Nashua store paid itself back in one year, and without decreasing sales in nearby stores, which still showed positive growth.

The committee increased the Department of Resources and Economic Development bonds by almost \$1.5 million for state-wide State Park system critical repairs and renovations such as roof replacements, fire tower repairs, new toilets and parking lot repairs and expansions. As in prior Capital Budgets this bill continues to fund another \$1 million in Hampton Beach seawall repairs.

The committee also phased and funded 40% (\$2 million) of the Department of Safety's request for radio tower and infrastructure upgrades and funded the renovations of the Marine Patrol Headquarters (the source of funds is the Navigation Safety Fund) at \$9.38 million, which is \$1.7 million less than the Governor's recommendation.

Committee members felt strongly that bonding Kindergarten construction was not appropriate for the capital budget and removed it, with assurances from the Senate Finance Committee that it will be addressed in the operating budget.

The Committee accepted the Governor's recommendation of \$7.5 million for the University System of New Hampshire, down from the \$35 million it received in each of the past six capital budgets.

This bill also funds \$8 million (an increase of \$500,000 over the Governor's budget) for the Community College System of New Hampshire, which will in addition to their critical capital needs, allow for substantial completion of a new Auto Collision, Marine and Culinary facility in Laconia.

After deferred maintenance and critical capital needs, the committee's priorities were to fund projects which have a positive payback, thereby saving taxpayer dollars, and projects which attract and promote tourism. This bill provides for hundreds of construction jobs throughout the state in all ten counties. **Vote 19-0.**

LAI D ON TABLE

HB 116, relative to the powers of an executor or administrator to take control of a decedent's social networking websites. (Pending question: adoption of the Majority committee report of Inexpedient to Legislate.)

HB 344-FN-L, relative to aid to school districts for the cost of special education. (Pending question: adoption of the committee report of Inexpedient to Legislate.)

HB 420, establishing orange, red, and yellow as the state colors. (Pending question: adoption of the committee report of Ought to Pass.)

HB 576, establishing Franklin Pierce Day. (Pending question: adoption of the committee report of Inexpedient to Legislate.)

HB 615-FN-A, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. (Pending question: adoption of the majority committee report of Inexpedient to Legislate.)

HB 619-FN, prohibiting images of a person's residence to be taken from the air. (Pending question: adoption of the committee report of Ought to Pass with Amendment.)

HB 638, recognizing the original Thirteenth Amendment to the United States Constitution. (Pending question: adoption of the majority committee report of Inexpedient to Legislate.)

HB 678-FN-A-L, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. (Pending question: adoption of the report of Inexpedient to Legislate.)

HB 683-FN, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management. (Pending question: adoption of the report of Inexpedient to Legislate.)

HCR 3, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.

HR 6, commemorating the 40th anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles.

HR 7, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law. (Pending question: adoption of the Majority committee report of Inexpedient to Legislate.)

HR 8, affirming revenue estimates for fiscal years 2013, 2014, and 2015. (Pending question: adoption of Ought to Pass.)

COMMITTEE MEETINGS

FRIDAY, MARCH 29

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

10:00 a.m. Regular meeting.

MONDAY, APRIL 1

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND SPECIES (RSA 487:30), Room 307, LOB

1:00 p.m. Organizational meeting.

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:2), Room 100, State House.

10:45 a.m. Regular meeting.

JOINT LEGISLATIVE FACILITIES (RSA 17-E:2), Room 100, State House

11:00 a.m. Regular meeting.

TASK FORCE ON WORK AND FAMILY (RSA 276-B:1), Room 207, LOB

1:15 p.m. Organizational meeting.

TUESDAY, APRIL 2**EDUCATION, Room 207, LOB**

10:00 a.m. Department of Education - Presentation Common Core.

11:00 a.m. Department of Education – Smarter Balance Assessment.

1:15 p.m. NH school safety and security.

3:00 p.m. Subcommittee organizational work session on retained **HB 243**, relative to the board of trustees of a chartered public school, **HB 424-FN**, relative to review of chartered public school applications by the state board of education, **HB 435-FN**, relative to funding for chartered public school pupils.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Continued public hearing on **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

10:30 a.m. Or immediately following the public hearing, executive session on **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

1:00 p.m. Full committee evaluation of SEC process.

STATE VETERANS' ADVISORY COMMITTEE (RSA 115-A:2), National Guard Aviation Facility, Regional Drive, Concord

5:00 p.m. Regular meeting.

THURSDAY, APRIL 4**CRIMINAL JUSTICE AND PUBLIC SAFETY, Meet in the LOB Lobby**

9:30 a.m. Tour of the Fire Academy. Transportation will be provided.

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

2:00 p.m. Long term care subcommittee meeting.

MONDAY, APRIL 8**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House**

3:00 p.m. Regular meeting.

TUESDAY, APRIL 9**JOINT HEALTH CARE REFORM OVERSIGHT (RSA 420-N:3), Rooms 302-304, LOB**

8:00 a.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Meet in the LOB at noon.

12:15 p.m. Depart for tour of Merrimack Station in Bow. Transportation will be provided. Lunch will be provided on arrival at the station.

THURSDAY, APRIL 11**CHILDREN AND FAMILY LAW**

10:00 a.m. Members of the committee wishing to tour the Women's Prison meet at 317 Mast Road, Goffstown.

2:00 p.m. Members of the committee wishing to tour the Sununu Youth Services Center meet at 1056 River Road, Nashua.

CRIMINAL JUSTICE AND PUBLIC SAFETY

10:00 a.m. Tour of the Police Academy in Concord. Meet at the Police Academy located on the campus of the New Hampshire Technical Institute (NHTI). The Academy is across from NHTI at 17 Institute Drive, Concord.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:30 a.m. Full committee informational meeting on bills in committee. Director of the Young Farmers Union in France will be present to see how the committee functions.

11:30 a.m. Full committee conference call with the Council of State Government (CSG) regarding food modernization safety act.

FRIDAY, APRIL 12**BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 307, LOB**

1:30 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 15**GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB**

10:00 a.m. Non-public session of the Complaint Review Committee.

STATE RETIREE HEALTH PLAN COMMISSION (RSA 100-A:56), Room 302, LOB

1:00 p.m. Organizational meeting.

TUESDAY, APRIL 16**HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), Department of Education, Room 15, 101 Pleasant Street, Concord**

3:30 p.m. Regular meeting.

FRIDAY, APRIL 19**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. regular meeting.

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

10:00 a.m. Regular business.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

1:00 p.m. Regular meeting.

MONDAY, APRIL 22**OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB**

9:00 a.m. Regular meeting.

FRIDAY, APRIL 26**WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB**

9:00 a.m. Joint meeting with subcommittee.

10:30 a.m. Regular meeting.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

Hillsborough County Executive Committee will meet on Friday, **April 26**, 2013 at 9:00 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown, NH.

Rep. Mariellen MacKay, Clerk
Hillsborough Executive Committee

COUNTY DELEGATION NOTICES

Rockingham County Executive Committee will meet for the First Quarter Budget Review on Friday, **April 12**, 2013 at 9:30 a.m. in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood.

Rep. Kevin K. Waterhouse, Clerk
Rockingham County Executive Committee

Rockingham County Long-Term Care Subcommittee will meet on Friday, **April 19**, 2013 at 3:30 p.m. in the Commissioner's Conference Room at the Rockingham County Nursing Home in Brentwood. The purpose of the meeting is to discuss Rockingham County Adult Medical Day Care Program.

Rep. Debra L. DeSimone, Chairman
Rockingham County Long-Term Care Subcommittee

REVISED FISCAL NOTES

The following House Bills have a revised fiscal note: HBs 112, 142, 147, 178, 184, 204, 233, 250, 252, 253, 259, 260, 261, 295, 316, 317, 319, 320, 321, 322, 324, 325, 326, 327, 328, 330, 333, 334, 335, 336, 338, 339, 340, 341, 342, 343, 344, 370, 573, 376, 380, 382, 391, 394, 399, 431, 432, 434, 435, 437, 443, 445, 456, 461, 462, 466, 473, 477, 478, 479, 481, 482, 484, 485, 486, 487, 488, 489, 490, 491, 493, 501, 507, 511, 526, 540, 563, 564, 570, 575, 581, 594, 595, 596, 597, 599, 600, 617, 621, 628, 629, 630, 641, 642, 643, 644, 646, 648, 650, 651, 652, 654, 655, 656, 657, 658, 660, 661, 663, 664, 665, 667, 668, 669, 670, 671, 673, 676, 677, 678, 683. SBs 19, 39, 117, 124, 126, 131, 138, 153, 157, 160, 189, 190.

Karen O. Wadsworth, Clerk of the House

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. Amy S. Perkins, 49 Washington Street, Seabrook, New Hampshire 03874-4640.

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

Karen O. Wadsworth, Clerk of the House

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.

The House Republican Office will have "Office Hours" at the Legislative Office Building on Tuesdays and Thursdays through the legislative session. Republican Office staff will be available to members from 9:30 a.m.-11:30 a.m. in room 300A. Feel free to stop by if you have questions, requests or suggestions.

Rep. Gene G. Chandler

Breathe New Hampshire invites all legislators and staff to attend a breakfast reception on Wednesday, **April 3, 2013** from 8:00 a.m. – 9:30 a.m. at the State House Cafeteria. Stop by for a light breakfast, take a breathing test, and meet some volunteers who are helping Granite staters breathe better and live longer. Please RSVP at info@breathenh.org or by calling 603-669-2411.

Rep. Susan Almy

The Capital Grange invites everyone who has an interest in Agriculture, Community Service, and Legislation to join Grange members at our next meeting on Wednesday, **April 3** during the lunch break from session in the LOB, food will be provided with location as well. Grange Day at the Legislature will be **April 17** with Grange members from around the state visiting and touring the State House and LOB. The Grange is a fraternal, non-profit family organization. Please contact Interim President Rep. Scott Burns, Reps. Bob Haefner or Dick Patten for information.

Rep. Dick Patten

The New Hampshire Coalition Against Domestic and Sexual Violence invites all legislators to celebrate its 35th Anniversary on **April 4th** from 5:00 to 8:00 p.m. at the Bedford Village Inn. For event tickets please go to www.nhcadsv.org or call 603-224-8893.

Rep. Robert R. Cushing

Vesta Roy Express: There will be a one day workshop to strengthen communication and presentation skills for Republican women who are thinking of running for state or local office and those currently in office who are seeking to polish their skills on Saturday, **April 6, 2013** from 8:30 a.m. - 4:30 p.m. at NH Institute of Politics at Saint Anselms College. The cost is \$100/person. There are scholarships available. Space is limited. For more information and to sign up contact: Kate Pyle, 603.833.1442 or via email at katy@pyleiton.net

Rep. Regina M. Birdsell

All members are cordially invited to a breakfast at 8:00 a.m. on **April 9** sponsored by the New Hampshire Association of Regional Planning Commissions and the New Hampshire Planners Association. Please come join us for breakfast in the State House cafeteria.

Rep. James E. Coffey

The Environmental Caucus and Conservation NH invite all legislators to join us for a “Spring Sip” (cash bar) on Wednesday, **April 10** from 5:00 to 7:00 p.m. at True Brew, 3 Bicentennial Square across the street from the State House. Come meet our special guest Jeff Rose, the new commissioner of the Department of Resources and Economic Development.

Reps. Rebecca A. Brown, Kenneth Grossman and
David W. Hess

The House Republican Alliance will be hosting a Continuing Education series class on Thursday, **April 11** from 8:30 -9:45 a.m. in Room 303, LOB. All Republicans are welcome to attend and participate. Please contact Carol McGuire at mcguire4house@gmail.com to RSVP.

Rep. Pamela Tucker

On **April 11**, all General Court members are invited to join Nick Toumpas, Commissioner, Department of Health and Human Services and Dr. Jose Montero, Director of the Division of Public Health Services for lunch and a 20-minute screening of “Weight of the Nation” from 12:00 to 1:00 p.m. at St. Paul’s Church. Please join us and learn how obesity drives up rates of death and disability due to heart disease, stroke and diabetes – and the role of government in creating environments that promote health and wellness. Please RSVP to info@hnhfoundation.org so that we can be sure to have lunch for everyone who would like to attend.

Rep. Bob Perry

The Fifth Annual Local Energy Solutions Conference (LES) will be held on **April 13** at Winnisquam Regional High School in Tilton, organized by the NH Local Energy Work Group. Multi-track sessions, panel discussions and keynote address by Governor Maggie Hassan. Free registration for NH Legislators by contacting lesinfo@grassrootsfund.org.

Rep. Ian Raymond

On **April 16**, all House members are invited to meet volunteers and staff from throughout the state at a reception to highlight the important role that the American Red Cross plays in NH and your community. Heavy appetizers and beverages will be available from 4:00 p.m. to 6:00 p.m. at the Red Cross Headquarters located at 2 Maitland Avenue in Concord. Hope to see you there.

Reps. Stephen J. Shurtleff and Gene G. Chandler

All legislators and staff are invited to attend “Banding Together for New Hampshire’s Oral Health,” Annual Legislative Breakfast provided by the New Hampshire Oral Health Coalition. A hot breakfast will be served buffet-style **April 17** from 7:30 to 9:00 a.m. in the State House Cafeteria with food prepared by Elizabeth’s Kitchen at the State House. Member displays will update you on the latest in oral health. You can view and learn about the Dental Simulator from the Dental School at the University of New England – staff from the No. Country Health Consortium will be on-site to show you how the simulator works.

Rep. Tom Buco

Refugee Resettlement in New Hampshire: Who, Where, When and How? Lutheran Social Services of New England and the Duprey Companies cordially invite all legislators to an informative Breakfast on Wednesday, **April 17**, 2013, from 8:00 a.m.-10:00 a.m. at the Barley House in Concord featuring NH business and social services leaders, and representatives from NH’s refugee community. Please RSVP to Kerstin Breidenthal at (603) 410-3109 or KAhlgren@lssne.org.

Reps. Stephen J. Shurtleff and Gene G. Chandler

The New Hampshire Coalition Against Domestic and Sexual Violence's AmeriCorps Victim Assistance Program invites all legislators to view the New Hampshire Clothesline Project on **April 23** from 11:00 a.m. to 2:00 p.m. on the State House lawn. The Clothesline Project is a visual display that uses t-shirts to bear witness to domestic and sexual violence, child abuse and stalking. Each shirt is designed to represent a particular person's experience and is made by a survivor or someone who cares about them.

Rep. Robert R. Cushing

All members of the Republican caucus are invited to the House Republican Alliance's weekly meetings to be held Tuesdays from 8:30 -10:00 a.m. at the Upham Walker House.

Reps. Alfred Baldasaro, Carol McGuire and
Pamela Tucker

All are invited to attend the continuation of the weekly prayer group meeting on session days at 8:00 a.m. at the Upham Walker House, 18 Park Street, Concord.

Reps. Stephen Palmer, Warren Groen and
Stella Tremblay

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 **2013**. 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 school year and subject to changes.

Please contact the Visitor 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
Deborah Rivers, Public Information

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Group#/Grade</i>
March 29	9:30	Smyth Road School – Manchester	55/4
March 29	10:15	East Kingston Elementary School	33/4
March 29	11:15	Pierce School at Bennington	15/4
April 1	9:30/11:00 SH/HM	Maple Ave. School – Goffstown	75/4
April 2	9:00	Hanover High School German Club	20/HS
April 2	9:30	Maple Ave. School – Goffstown	50/4
April 2	11:00	Little Harbor School – Portsmouth	54/4
April 3	9:45	Maple Wood School – Somersworth	50/4
April 3	11:30	North Hampton School	56/4
April 4	9:30	Groveton High School/ Life Skills	10/HS
April 4	10:00	Mont Vernon Village School	36/4
April 4	11:00	Little Harbor School – Portsmouth	26/4
April 5	9:30/11:00 SH/HM	Jaffrey Grade School	64/4
April 5	11:00	Nashua Christian Academy	13/4
April 8	9:45	Thornton Ferry School – Merrimack	50/4
April 8	11:00	Campton Elementary School	44/4
April 8	2:00	World Affairs Council International Visitor Leadership – People's Rep. of China	8
April 9	9:30	Greenfield Elementary School	13/4
April 9	9:30	Hancock Elementary School	19/4
April 9	11:00	Lancaster Elementary School	40/4
April 9	12:30	Green Valley School – Pembroke	12/4&5
April 10	10:00/11:30 SH/HM	Crescent Lake School – Wolfeboro	80/4
April 10	1:00	Weare Home Schoolers	25
April 11	9:30/11:00	Northwest Elementary School	90/4
April 11	2:00	Lycee Lumiere – Laxeuil Les Bains	33/HS
April 12	9:00	Sunapee Middle School	13/8
April 12	9:45/11:00 SH/SC	Thornton Ferry School – Merrimack	80/4
April 15	9:15	Sunapee Middle High School	14/8

DATE	TIME	GROUP	Group#/Grade
April 15	9:15/10:30 SH/SC	Epsom Central School	60/4
April 15	11:30	Jennie D. Blake School – Hill	20/4
April 15	3:00	Teen Pact	26
April 16	9:30/11:00 SH/HM	Hillsboro-Deering Elementary School	112/4
April 16	1:00	Holderness Central School	26/4
April 17	10:00/11:30	Wm. Barron School – Salem	66/4
April 17	11:00	Unity Elementary School	39/4
April 17	9:00	Open World Project – Serbian National Parliamentarians	10
April 18	10:00/11:30 SH/HM	Garrison School – Dover	100/4
April 19	9:30/11:00 SH/F&G	Symonds School – Keene	64/4
April 19	9:45/10:45 SH/HM	DAR Good Citizens	90/4
April 19	12:00	South Merrimack Christian Academy	18/7
April 19	1:00	Teen Pact Families	34
April 25	10:00	Enfield Village School	54/4
April 25	11:30	Harvest Hills	
April 25	1:30	The Huntington @ Nashua Retirement Community	15/SRS
April 29	10:00/11:30 SH/HM	Nottingham West Elementary School – Hudson	120/4
April 30	9:30/11:00 SH/HM	Henry Wilson School – Farmington	86/4
April 30	1:00	Voyagers Home School – Ossipee area	20
May 1	9:45/11:30 SH/HM	Horne St. School – Dover	85/4
May 2	9:00	Ashland Elementary School	40/4&6
May 2	10:00/11:15 SH/F&G	McClelland School – Rochester	75/4
May 2	2:00	IREM – realtors	45
May 3	10:00/11:15 SH/SC	Bernice A. Ray School – Hanover	80/4

WEDNESDAY, APRIL 3 AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 2-FN-A-LOCAL (2013-1169h)

Proposed by the Majority of the Committee on Finance – R

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

1 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision of law, for the fiscal year ending June 30, 2014, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2013 distribution.

2 Suspension; Revenue Sharing. Notwithstanding any provision of law to the contrary, RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2015.

3 School Building Aid; Alternative School Building Aid. Except as provided in section 160 of this act:

I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2013 through June 30, 2015.

II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:

(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2015; or

(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2015.

(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.

4 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2015.

5 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2015.

6 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.

7 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2015.

8 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.

I. For the biennium ending June 30, 2015, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health, education and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

II. Notwithstanding any provision of the law to the contrary, for the biennium ending June 30, 2015, the fiscal committee of the general court and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues in excess of \$100,000, that are in addition to the budgeted amounts, from any source, which become available to the department; provided, that such expenditures do not increase eligibility standards or benefit levels.

III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers.

9 Department of Health and Human Services; Bureau of Adult and Elderly Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments; Credit. RSA 167:18-a, II-III is repealed and reenacted 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 2014-2015:

(1) State fiscal year 2014, \$109,900,000.

(2) State fiscal year 2015, \$115,050,000.

(b) The caps on total billings for fiscal years after fiscal year 2015 shall be established by the legislature at least on a biennial basis.

III.(a) The counties shall have an aggregate credit of \$5,000,000 against amounts due under this section for each fiscal year beginning July 1, 2008. The credit shall be allocated as follows:

(1) For fiscal year 2009, \$4,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$1,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$3,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(3) For fiscal year 2011 and for each fiscal year thereafter, \$5,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(b) The credit shall be made available as soon as possible after the start of the fiscal year. The department shall adopt county credit criteria in consultation with the county-state finance commission and in accordance with the provisions of RSA 541-A. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.

(c) For the biennium ending June 30, 2015, the counties shall have an additional credit against the amounts due for long term care expenditures under RSA 167:18-a. The credit in the amount of \$2,500,000 for the fiscal year ending June 30, 2014 and \$2,500,000 for the fiscal year ending June 30, 2015 shall be in

addition to the \$5,000,000 annual credit set forth in subparagraph (a). The percentage of the credit that each county receives shall be the same as its percentage of the total Medicaid bed days in county nursing homes in the preceding year, and shall be made available to the county as soon as possible after the start of the fiscal year. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.

10 Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2015 the department of health and human services shall raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.

11 Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40 are hereby suspended for the biennium ending June 30, 2015.

12 Department of Health and Human Services; Adoption Assistance Program. The department of health and human services shall administer its adoption assistance program consistent with federal law and regulations and the state's Title IV-E plan for foster care and adoption assistance.

13 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2015, any state agency or department is authorized, with the prior approval of the department of administrative services, to enter into agreements to rent, lease, or lease-purchase vehicles and equipment from any outside vendor or to rent or lease vehicles and equipment from any other state agency or department.

14 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2014 or June 30, 2015 from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.

15 Department of Administrative Services; Suspension of Bumping Rights. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02(i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2015.

16 Lottery Commission; Incentive Program. For the biennium ending June 30, 2015, the lottery commission may develop and implement an employee recognition program for monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance and funded from an existing lottery budget line item. The incentive program shall be implemented through rules adopted by the lottery commission in accordance with RSA 541-A. The lottery commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program.

17 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2015, all gross revenue derived by the liquor commission from the sale of liquor and related products, or from license fees, shall be deposited into the liquor commission fund.

18 State Budget; Allocation of Gross Appropriations from Highway Fund; Suspended. For the biennium ending June 30, 2015, RSA 9:9-b, relative to allocation of gross appropriations from the highway fund, shall be suspended.

19 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program that is received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for fiscal years 2014 and 2015 may be transferred to another qualified agency (or agencies) upon certification by the governor to the commissioner of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2013, the unexpended portion of the appropriation shall be transferred.

20 Rehiring of Laid Off Classified State Employees.

I. For purposes of this section, "laid off" means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2013 and June 30, 2015, as a result of reorganization or downsizing of state government.

II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire.

III. The head of each department or agency shall submit the name and classification of any individual

laid off between July 1, 2013 and June 30, 2015, to the director of the division of personnel within 10 days of the layoff.

21 Judicial Appointments; Number Limited; Vacancies.

I. Except as provided in paragraph II, for the biennium ending June 30, 2015 the number of judges serving on the superior court shall not exceed 20 and the number of full-time judges serving on the circuit court shall not exceed 31.

II. For the biennium ending June 30, 2015, an existing marital master position may be converted to a judge position if such conversion can be made within the limits of the judicial branch operating budget and is approved by the fiscal committee of the general court.

22 Saltwater Fishing License; Fees. Amend RSA 214:9, XVI(e)(1) to read as follows:

(1) ~~[\$10]~~ **\$15** for resident and nonresident individuals.

23 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2015:

I. RSA 167:3-c, III, relative to rulemaking for funeral expenses.

II. RSA 167:11, relative to funeral expenses to recipients of public assistance.

24 Department of Resources and Economic Development; Transfer of Funds Authorized. The commissioner of the department of resources and economic development may transfer funds between and among the class line appropriations in the highway welcome centers (accounting unit 03-35-35-3520-5919) and may transfer funds between and among the class line appropriations in the turnpike welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30, 2015. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers made under this section.

25 Business Profits Tax; Net Operating Loss Carryovers. Amend RSA 77-A:4, XIII(e) to read as follows:

(e) On or after January 1, ~~[2013]~~ **2014**, the amount of net operating loss generated in a tax year that may be carried forward may not exceed \$10,000,000.

26 Medicaid Management Information System; Reports. Amend 2011, 224:365 to read as follows:

224:365 Medicaid Management Information System; Reports.

~~I. [The commissioner of the department of information technology shall, in consultation with the commissioner of the department of health and human services, engage the services of an information systems consultant experienced with implementation of large healthcare and/or governmental information systems. The consultant shall review and evaluate the state's Medicaid management information system (MMIS) implementation project and provide a report on the progress of the implementation and the projected go-live date. The consultant shall report on the readiness of the MMIS upon start-up to meet all current federal MMIS requirements and all New Hampshire specific contract requirements. The consultant shall provide a detailed list of any system features that will not be available upon start-up of operations and report specifically on the readiness of the system to meet New Hampshire's Medicaid managed care requirements. The consultant shall report on the MMIS readiness to comply with the current CMS certification Toolkit required to attain federal certification. The commissioner of the department of information technology shall present the consultant's report to the fiscal committee of the general court no later than October 1, 2011. The cost of the evaluation and report shall be borne by ACS State Healthcare, LLC.~~

II.] For the biennium ending June 30, 2015, the commissioner of the department of health and human services shall provide the fiscal committee of the general court with monthly reports on the status of the new MMIS system implementation and shall report on the department's efforts to seek cost recovery under section 10.1 (Failure to Meet Start Date for Operations Phase) of the MMIS contract dated October 18, 2005 and approved by governor and council on December 17, 2005.

27 Transfer from Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, in the event of a general fund operating budget deficit at the close of fiscal year 2013 as determined by the official audit performed pursuant to RSA 21-I:8, II(a), the comptroller shall notify the fiscal committee of the general court and the governor of such deficit and request that sufficient funds, to the extent available, be transferred from the revenue stabilization reserve account to eliminate such deficit.

28 Department of Administrative Services; Manager of Risks and Benefits; Position Established.

I. There is established within the department of administrative services the unclassified position of manager of risks and benefits. The manager of risks and benefits shall be qualified to hold that position by reason of education and experience, shall be nominated by the commissioner of administrative services for appointment by the governor, with the consent of the executive council, and shall serve for a term of 4 years. The manager of risks and benefits shall supervise the department of administrative services' risk management unit and shall perform such duties as the commissioner from time to time may authorize.

II. The salary of the manager of risks and benefits shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the manager of risks and benefits, position 41835 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of manager of risks and benefits. Funding shall be

transferred into a new expenditure class 011, within accounting unit 01-14-14-143510-2901. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of manager of risks and benefits.

29 Department of Administrative Services; Risk Management. Amend the introductory paragraph of RSA 21-I:7-c to read as follows:

21-I:7-c Risk Management. There is established within the office of the commissioner of administrative services a risk management unit, ~~[which shall be under the supervision of such staff as may be employed by the commissioner of administrative services]~~ ***under the supervision of an unclassified manager of risks and benefits, who shall be qualified to hold that position by reason of education and experience and who shall perform such duties as the commissioner from time to time may authorize.*** The risk management unit shall be responsible for the following functions, in accordance with applicable laws:

30 Department of Administrative Services; Manager of Risks and Benefits; Nomination by Commissioner. Amend RSA 21-I:2, II, to read as follows:

II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, ***the manager of risks and benefits***, and the senior operational analyst. The division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, ***the manager of risks and benefits***, and the senior operational analyst shall each serve for a term of 4 years.

31 Applicability. RSA 21-I:7-c and RSA 21-I:2, II as amended by sections 29 and 30 of this act shall take effect upon the abolition of position 41835, the transfer of funding and appropriations to the unclassified position, and the initial appointment of the manager of risks and benefits, as certified by the commissioner of administrative services to the director of legislative services.

32 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

I. Notwithstanding any law or administrative rule to the contrary, the commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, is authorized to make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services, from any other agency, as may be necessary or desirable to effectuate the efficient consolidation of human resource and payroll functions within state government.

II. The commissioner of administrative services is authorized to establish the number and classification of personnel required for human resource and payroll management in state government and, with the prior approval of the governor and council, is authorized to eliminate unnecessary positions and to transfer to the department of administrative services any position in another agency identified by the commissioner of administrative services as necessary to effectuate the efficient consolidation of human resource and payroll functions within state government. Such transfers shall include the transfer of all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. All commissioners and department heads shall cooperate with the commissioner of administrative services to accomplish the intent of this section.

III. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation of human resource and payroll functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of human resources and payroll functions.

IV. The department of state shall be exempt from the provisions of this section as they relate to the execution of the constitutional duties of the office of the secretary of state.

33 Department of Administrative Services; Consolidation of Business Processing Functions.

I. The commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, is authorized to make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services, from any other agency, as may be necessary or desirable to effectuate the efficient consolidation of business processing functions within state government. Such business processing functions shall include:

- (a) Accounts receivable;
- (b) Accounts payable;
- (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and
- (d) Such other finance and accounting functions and transactions the commissioner of administrative services determines would achieve substantial efficiencies from consolidation.

II. The commissioner of administrative services is authorized to issue a request for proposals or purchases in accordance with RSA 21-I:22 and RSA 21-I:22-a for the services and assistance of a qualified consultant to evaluate and identify opportunities for business processing consolidation in state government and to make recommendations, including for a proposed implementation plan, for consolidation of such functions.

III. The commissioner of administrative services is authorized to establish the number of total personnel required for business processing functions in the executive branch of state government and, with the prior approval of the governor and council, is authorized to eliminate unnecessary positions and to transfer to the department of administrative services any position in another agency identified by the commissioner of administrative services as necessary or desirable to effectuate the efficient consolidation of business processing functions within state government. Such transfers shall include the transfer of all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

IV. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation of business functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of human resources and payroll functions.

V. The department of state shall be exempt from the provisions of this section as they relate to the execution of the constitutional duties of the office of the secretary of state.

34 Continuation of Appropriation. Department of Administrative Services. Any unspent balance remaining on the \$250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2015. The department of administrative services may use this balance to fund such projects, functions or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including but not limited to the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation of human resource, payroll, finance, business processing and accounting functions.

35 Department of Administrative Services; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of the department of administrative services is hereby authorized to transfer funds within and among all accounting units and/or class codes within the department, with the exception of class 60 transfers, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department.

36 Cost Containment Plan for Retiree Health Care Program. The commissioner of the department of administrative services shall develop a comprehensive and cohesive plan outlining cost containment options and managed care techniques available through the underlying insurer and other managed care vendors to generate additional savings for the state of New Hampshire retiree health care program. The cost containment plan shall be developed no later than September 15, 2013 and the commissioner of the department of administrative services shall make a report to the fiscal committee of the general court.

37 New Section; State Employees Group Insurance; Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. Amend RSA 21-I by inserting after section 36-a the following new section:

21-I:36-b Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. There is established a commission to review retiree health care benefits for employees hired after July 1, 2013 in light of the implementation of the Patient Protection and Affordable Care Act and recommend a cohesive plan outlining cost effective health plan models effective for such new employees.

I. The members of the commission shall be:

- (a) The commissioner of administrative services, or designee.
- (b) The president of the State Employees' Association, or designee.
- (c) The president of the New Hampshire Troopers Association, or designee.
- (d) The president of the New England Police Benevolent Association, or designee.
- (e) The president of Teamsters Local 633, or designee.

(f) Four members of the public, each of whom shall be a person who in the last 10 years was not a member of a labor union, appointed by the governor.

II. The commissioner of the department of administrative services shall be the chairperson and shall call the first meeting as soon as practicable after the effective date of this section. Five members shall constitute a quorum.

III. The commission shall report its findings and recommendations to the governor and the fiscal committee of the general court by November 15, 2013.

38 Repeal. RSA 21-I:36-b, relative to the commission on cost containment options, is repealed.

39 Continuation of Appropriation Regarding Sale of Property. Notwithstanding the June 30, 2013 lapse date in 2011, 224:82, any unspent balance of the \$250,000 appropriation made by 2010, 1:96 to the department of administrative services, shall not lapse until June 30, 2015. The department of administrative services may use this balance to undertake any required title, subdivision, and other land preparation needed for the sale of the former Laconia state school property and the former Laconia state school and training center property, and for the purpose of employing a consultant with real estate or financial expertise in preparation of the request for proposals for the sale of said property. In the event that 2011, 224:80 is repealed, or in the event that there is a remaining balance after use of the appropriation in the manner specified above, any remaining balance may be used by the commissioner of the department for the purpose of undertaking any required title, subdivision, and other preparation needed for the sale of other state properties or assets and/or for retaining independent real estate and financial expertise for the sale of other state properties and assets.

40 New Section; Office of Innovation and Efficiency Established Within the Department of Administrative Services. Amend RSA 21-I by inserting after section 9 the following new section:

21-I:9-a Office of Innovation and Efficiency.

I. There is established within the department of administrative services the office of government innovation and efficiency. The office shall be responsible for coordinating and implementing statewide efforts to improve the efficiency, customer service, and transparency of state government activities.

II. There is established within the department of administrative services the unclassified position of director of innovation and efficiency, who shall be qualified to hold the position by reason of education and experience, shall be nominated by the commissioner and appointed by the governor, with the consent of the executive council, and shall serve a 4 year term. The director shall supervise the office of innovation and efficiency and perform such duties as the commissioner may authorize and assign from time to time.

III. The salary of the director of innovation and efficiency shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. The office of innovation and efficiency shall provide an annual report by October 1 to each member of the house finance committee and senate finance committee detailing the office's activities to coordinate and implement statewide efforts to improve the efficiency, customer service, and transparency of state government activities. This report shall also include any cost savings or anticipated cost savings resulting from the office's activities.

V. The department of state shall be exempt from the provisions of this section as they relate to the execution of the constitutional duties of the office of the secretary of state.

41 Impaired Driver Education Programs; Fees. Amend RSA 265-A:39, I to read as follows:

I. Except as provided in paragraph III, the commissioner of the department of health and human services shall be responsible for approving the impaired driver education programs which persons convicted under RSA 265-A:2 or RSA 265-A:3 shall attend in order to regain their driver's licenses or driving privileges; but the commissioner of the department of health and human services shall not approve any impaired driver education program unless such program is conducted without cost to the state. ~~[Notwithstanding RSA 6:12, any fees collected under subparagraph III(g) of this section shall be placed in a nonlapsing revolving account and shall be used by the commissioner for the purposes of this subdivision only.]~~

42 Department of Health and Human Services; Bureau of Drug and Alcohol Services; Utilization of Funds. Amend RSA 265-A:41 to read as follows:

265-A:41 Utilization of Funds. All funds derived from the fees collected by the commissioner of the department of health and human services under RSA 265-A:18, ***RSA 265-A:39***, and RSA 265-A:40 shall be ~~[paid over to the state treasurer within 10 days of the subsequent month, or at an earlier date, for deposit into a separate account in the treasury known as the impaired driver education program (IDEP) and impaired driver care management program (IDCMP) account. These funds are appropriated as indicated in the operating budget as a source of funds for the department of health and human services' responsibilities under this subdivision. Any funds remaining in the account over the appropriation indicated in the operating budget shall lapse into the general fund at the end of each fiscal year]~~ ***deposited into the general fund.***

43 Repeal. The following are repealed:

I. RSA 6:12, I(b)(147), relative to the impaired driver education program (IDEP) and impaired driver care management program (IDCMP) account.

II. RSA 6:12, I(b)(175), relative to the alcoholism and alcohol abuse account.

44 Probate Courts and Decedents' Estates; Priority of Claims. Amend RSA 554:19, I(d) to read as follows:

(d) Claims made for financial and/or medical assistance provided to the deceased by the department of health and human services, ~~[as well as under certain circumstances, changes]~~ ***debts collected by the state pursuant to RSA 126-A:34, and charges pursuant to RSA 166:19. The department of health and human services may distribute claims made in the following order: first, that assistance funded entirely by moneys from the general fund; and second, that assistance funded by a combination of state and federal funds.***

45 Department of Health and Human Services; Office of Reimbursements; Duties. Amend RSA 126-A:34, I(b) to read as follows:

(b) Investigate the ability of patients, residents, or clients of such institutions and of the persons receiving care, treatment, [or] maintenance, **or services** either in public or private institutions or otherwise at the direction of the commissioner and those legally chargeable for their support and maintenance to pay for such care, treatment, [and] maintenance, **and/or services** and recommend to the commissioner the charge to be rendered.

46 Department of Health and Human Services; Office of Reimbursements; Financial Statements. Amend RSA 126-A:38 to read as follows:

126-A:38 Financial Statements.

I.(a) Within 60 days after admittance, except as provided in paragraph II, and annually thereafter if requested by the commissioner, a financial statement shall be filed under penalty of perjury by a person legally chargeable for expenses pursuant to RSA 126-A:36 on forms provided for this purpose by the office of reimbursements.

(b) Subject to the provisions of RSA 359-C, the commissioner is hereby authorized to request, on an individually-named basis, and receive, on the same basis, from any financial institution, including, but not limited to, any bank, trust company, savings and loan association, credit union, or other financial institution doing business in this state, personal information with respect to all transactions with such financial institution including, but not limited to, the assets of any person with respect to whom the department is investigating the ability to pay; provided, however, the commissioner shall limit the request to the minimum information necessary for the review of the individual's ability to pay. The financial institution shall furnish the information within 15 days of the department's request, unless the time period is extended for good cause shown. If the request for the information is burdensome to the financial institution, it shall give written notice to the commissioner within the 15-day period, and the commissioner shall review the request of the institution and modify the request if reasonably possible to alleviate the burden on the institution.

(c) The commissioner is hereby authorized to request and receive from any and all former or current employers, including, but not limited to, personal information with respect to dates of employment, number of hours worked, rate of pay, date of birth, available health insurance, current address, payroll deductions, and social security number of any person with respect to whom the department is investigating the ability to pay; provided, however, the commissioner shall limit the request to the minimum information necessary for the review of the individual's ability to pay. The employer shall furnish the information within 15 days of the department's request unless the time period is extended for good cause shown. If the request for the information is burdensome to the employer, it shall give written notice to the commissioner within the 15-day period, and the commissioner shall review the request of the employer and modify the request if reasonably possible to alleviate the burden on the employer.

(d) The department and any financial institution or employer who discloses financial or employment records under this section shall not be subject to civil liability or criminal prosecution which is based upon its disclosure under this section, or for any other action taken in good faith to comply with the requirements of this section.

(e) Any records established or information collected pursuant to the provisions of this section shall be made available only to the commissioner and the attorney general and their authorized designees, attorneys employed by the department of health and human services, and the client or the client's authorized representative. Such records and information shall be available and used only for purposes directly connected with the investigation of a person's ability to pay under this chapter. The records and information made available to the client or the client's authorized representative shall not include information provided to the department that is prohibited from release by federal law, state statute, state case law, or by contract or agreement between the department and another entity if such contract or agreement prohibits release of such information.

II. Persons admitted to the multiple DWI offender intervention program (M.O.P.) **prior to January 1, 2013** who do not pay program fees in full at the time of admission shall file a financial statement under penalty of perjury on forms provided for this purpose by the office of reimbursements and shall enter a payment contract for balance of fees due. The office of reimbursements shall be entitled to recover reasonable attorneys' fees and costs of collection for program fees not paid in accordance with a payment contract.

III. Persons admitted to the multiple DWI offender intervention program (M.O.P.) **prior to January 1, 2013** shall notify the office of reimbursements of each change of mail address and actual street address until that person has made payment in full of fees due in accordance with an M.O.P. payment contract. Whenever notice to a person subject to a payment contract is required, notice to the last mail address on file with the office of reimbursements shall be deemed notice to and binding on the payer.

47 Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 359-C:11, IV to read as follows:

IV. Subject to the limitations of RSA 359-C:6, the examination by or disclosure to the commissioner of the department of health and human services of the financial records of a person upon a request by the commissioner ***pursuant to RSA 126:38, I(b) and (c) for the purpose of reviewing a person's ability to pay for care, treatment, maintenance, and services provided by institutions;*** pursuant to RSA 161-C:3-a, I for the purpose of establishing, modifying, or enforcing an obligation to pay child support against such person; or pursuant to RSA 167:4-a for purposes directly connected with the determination and verification of eligibility for medical assistance for applicants and recipients whose eligibility for medical assistance is based upon the applicant's or recipient's age, blindness, or disability.

48 New Subparagraph; Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 126-A:42, II by inserting after subparagraph (e) the following new subparagraph:

(f) If an agreement was made under RSA 126-A:43, III, recovery shall be limited to any payment obligation resulting from such agreement.

49 Department of Health and Human Services; Office of Reimbursements Regular Rate. Amend RSA 126-A:43, III to read as follows:

III. ***The commissioner may compromise or reduce any debt or obligation owed to the state pursuant to an agreement with a group health plan carrier, as defined in RSA 420-G:2, or any health insurer as defined in 607(1) of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. section 1167 (1), federal and or state funded assistance, or any other legally liable third party or persons chargeable for support.***

IV. The office of reimbursements shall, upon request, furnish to each estate from which, or to each person chargeable from whom, a recovery of expenses is sought pursuant to RSA 126-A:42, a record of the accumulated charges against said estate or said person.

50 Department of Health and Human Services; Office of Reimbursements; Administrators; Bond. Amend RSA 553:13, II to read as follows:

II. Notwithstanding the provisions of paragraph I, when the estate has a gross value of \$25,000 or less, only a personal bond without sureties will be required. ***In addition, in cases in which the department of health and human services is administering an estate pursuant to RSA 126-A:34, I(e), no bond shall be required.***

51 Department of Health and Human Services, Division of Community-Based Care Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2015, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department shall also establish, by rule under RSA 541-A, a procedure for such persons or community health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by the commissioner of the department of health and human services, the fiscal committee of the general court may authorize a higher per person per year limit.

52 Department of Health and Human Services; Division for Children, Youth, and Families.

I. Notwithstanding any provision of law or administrative rule to the contrary, for the biennium ending June 30, 2015, the rates for all services, placements, and programs that are paid for by the department of health and human services pursuant to RSA 169-B:40, 169-C:27, 169-D:29, with the exception of rates for contracted services that are approved by the governor and council and rates for out-of-state placements, shall be no greater than the rates in effect for the particular service, placement, or program as of June 30, 2013.

II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization. The total rate of reimbursement for residential placement (board and care) for a Medicaid eligible child shall consist of the "room and board rate" and the "educational rate" as established by the department on July 1, 2013, and the treatment or the private non-medical institution rate as agreed to by the provider and the managed care organization.

53 Repeal. RSA 126-A:18-b, relative to Medicaid reimbursement rates, is repealed.

54 Uncompensated Care Fund. Amend RSA 167:64, I(a) and (b) to read as follows:

(a)(1) The commissioner may provide reimbursement for uncompensated care costs in accordance with the approved schedule of payments through either Medicaid rate adjustments or disproportionate share hospital payment adjustments, or a combination thereof. Funds available under this section shall also be used to make medical provider payments and to support the state's Medicaid enhancement tax unrestricted revenue account, in amounts directed by the budget in each year of the biennium. Expenditure of revenues deposited to the uncompensated care fund shall be made in the following order of priority:

[(1)] (A) To support medical provider payments as budgeted in each year of the biennium;

[(2)] ~~To ensure that critical access hospitals receive reimbursement for reported uncompensated care costs at the rate of 100 percent of the individual hospital limit or at the highest uniform percentage~~

that available funding would permit should funds be inadequate to cover 100 percent of the hospital limit for disproportionate share payments as determined by the commissioner consistent with the provisions of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder;

(3) To support the state's Medicaid enhancement tax unrestricted revenue account as budgeted in each year of the biennium; and

(4) If authorized, to reimburse non-critical access hospitals at the highest uniform percentage of each hospital's disproportionate share hospital payment limit as the funds made available under this section permit and are consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder.]

(B) To support the state's Medicaid enhancement tax unrestricted revenue account as budgeted in each year of the biennium;

(C) To support up to 80 percent of the uncompensated care costs of New Hampshire's hospitals with critical access designation as available funding allows, to be shared among such hospitals in proportion to the amount of uncompensated care provided;

(D) To support up to 80 percent of the uncompensated care costs of New Hampshire's hospitals without critical access designation as available funding allows, to be shared among such hospitals in proportion to the amount of uncompensated care provided;

(E) Any remaining funds produced from the Medicaid Enhancement Tax shall be used to reduce hospital losses associated with providing services to Medicaid recipients through an increase in provider reimbursement rates.

(2) Should funds be inadequate to make a disproportionate share hospital payment to hospitals within either of the groups identified in subparagraph (1)(C) or (1)(D), an amount of \$1,000,000 shall be designated to make payments in accordance with 42 U.S.C. 1396r-4(b) and distributed as follows:

(A) Equally to each group of hospitals should both groups be impacted, and distributed among each of the hospitals within each group in proportion to the amount of uncompensated care provided; or

(B) If only hospitals in subparagraph (1)(D) are impacted, distributed to those hospitals in proportion to the amount of uncompensated care provided.

(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, 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] **2014** and state fiscal year [2013] **2015** shall be in accordance with the schedule of payments to hospitals that takes effect on or after July 1, [2011] **2013**, subject to the prior review and approval of the federal Centers for Medicare and Medicaid Services, and shall be structured in a manner that is consistent with all federal laws and regulations governing (i) Title XIX disproportionate share hospital payment adjustments and other rate payments, (ii) conditions for receiving federal financial participation, and (iii) permissible sources of state financial participation as provided for under 42 C.F.R. part 433 and all other applicable federal regulations.

55 Repeal. RSA 167:65, II, relative to reporting methodology of payment to the oversight committee on health and human services, is repealed.

56 Department of Health and Human Services; Bureau of Adult and Elderly Services; Nursing Facility Quality Assessment; Contingency. Notwithstanding RSA 84-C:11, I, for the biennium ending June 30, 2015, the nursing facility quality assessment imposed by RSA 84-C shall not be assessed, and no return shall be required to be made, upon the occurrence of any proceeds collected from nursing facilities as defined in RSA 84-C:1,V(a), from the nursing facility quality assessment being expended by the state or any state agency for any purpose other than funding nursing facility expenditures through the nursing facility trust fund under RSA 151-E:14 and long-term care services through the department of health and human services.

57 Department of Health and Human Services; Bureau of Adult and Elderly Services; Intermediate Care Facilities (ICF); Use of ICF Separate Account. Notwithstanding the provisions of RSA 84-D:5, for the biennium ending June 30, 2015, funds from the intermediate care facilities separate account may be expended by the state for long-term care services through the department of health and human services.

58 Department of Health and Human Services; Bureau of Adult and Elderly Services; Quality Assessment Expenditures; State Expenditures for Long-Term Care Services. Notwithstanding the provisions of RSA 151-E:14 and RSA 151-E:15-a, for the biennium ending June 30, 2015, 25 percent of the receipts from the nursing facility quality assessment under RSA 84-C:3 and the intermediate care facilities quality assessment under RSA 84-D:3 shall be deposited as restricted revenue in accounts of the department of health and human services and shall be used in support of long-term care services and not for any other purpose.

59 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2015.

60 New Paragraph; Department of Health and Human Services; Assistance to Newly Eligible Population Consistent with Federal Law. Amend RSA 126-A:5 by inserting after paragraph XXI the following new paragraph:

XXII.(a) Notwithstanding any provision of law to the contrary, the commissioner shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services and take any other administrative and operational actions necessary to expand eligibility for Medicaid in the state authorized by section 1902(a)(10)(A)(i)(VIII) and section 1902(e)(14) of the Social Security Act as amended by the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152 (hereinafter the "Act"). The state shall seek federal approval to provide medical assistance to individuals who become eligible for Medicaid pursuant to this section and to other individuals eligible under 1902(a)(10)(A)(i) in the same amount, duration, and scope. The expansion provisions under this paragraph shall be implemented commencing January 1, 2014 or as soon thereafter as is practicable.

(b) The commissioner may adopt rules, pursuant to RSA 541-A, as necessary to implement the Medicaid eligibility expansion under subparagraph (a).

(c) The commissioner is authorized to accept and expend all federal funds authorized by the Act as necessary to implement the eligibility expansion under subparagraph (a).

61 Medicaid Expansion. The state of New Hampshire may opt out of the Medicaid expansion established pursuant to section 60 of this act at any time.

62 Department of Health and Human Services; Medicaid Breast and Cervical Cancer Program. Enrollment in the Medicaid breast and cervical cancer program, under 42 U.S.C. section 1396a(aa), shall be suspended effective December 31, 2013 conditioned upon implementation of the Medicaid expansion group pursuant to RSA 126-A:5, XXII. Any individual covered under the Medicaid breast and cervical cancer program prior to December 31, 2013 shall continue to be covered for the program unless his or her medical treatment has concluded, or until the next redetermination of his or her eligibility by the department, whichever event occurs later; whereas after, the individual's eligibility for the Medicaid expansion group shall be determined by the department pursuant to RSA 126-A:5, XXII. Commencing January 1, 2014, administrative rule He-W 641.09 shall be limited in its application to only those individuals enrolled in the Medicaid breast and cervical cancer program receiving treatment as of December 31, 2013 conditioned upon implementation of the Medicaid expansion group pursuant to RSA 126-A:5, XXII.

63 Repeal. 1988, 192:12 as amended by 1990, 201:16, relative to certification of shelter care/detention beds, is repealed.

64 Residential Care and Health Facility Licensing; Licenses. Amend RSA 151:5 to read as follows:

151:5 Licenses. Licenses issued hereunder shall expire one year after the date of issuance. Licenses shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable; ***provided that home health care providers, personal care providers, home health hospice providers, and case management agencies shall not be required to apply for and receive a new license if they change the physical location of their office within the one year licensing period.*** Licenses shall be posted in a conspicuous place on the licensed premises. Fees for an annual license shall be as follows:

- I. Hospitals; \$25 per licensed bed.
- II. Specialty hospital-psychiatric; \$25 per licensed bed.
- III. Specialty hospital-rehabilitation; \$25 per licensed bed.
- IV. Nursing homes; \$25 per licensed bed.
- V. Acute psychiatric residential treatment programs; \$25 per licensed bed.
- VI. Residential treatment and rehabilitation facilities; \$25 per licensed bed.
- VII. Hospice houses; \$25 per licensed bed.
- VIII. Adult family care homes; \$25 per licensed bed.
- IX. Residential and supported residential care; \$15 per licensed bed.
- X. Home health hospice providers; \$250.
- XI. Home health care providers; \$250.
- XII. Personal care providers:
 - (a) ~~Less~~ ***Fewer*** than 10 clients; ~~[\$100]~~ ***\$25.***
 - (b) Ten (10) or more clients; \$250.
- XIII. Outpatient clinics; \$500.
- XIV. End stage renal dialysis centers; \$500.
- XV. Ambulatory surgical centers; \$500.
- XVI. Educational health centers; \$500.
- XVII. Freestanding emergency rooms; \$500.

XVIII. Health promotion clinics; \$500.

XIX. Collecting stations; \$250.

XX. Adult day care centers; \$200.

XXI. Birthing centers; \$150.

XXII. Case management agencies; \$150.

XXIII. Laboratories; \$150 per year for each category of testing licensed.

65 New Section; New Hampshire Medicaid Enhancement Tax Commission Established. Amend RSA 84-A by inserting after section 12 the following new section:

84-A:13 New Hampshire Medicaid Enhancement Tax Commission Established; Members; Duties.

I.(a) There is hereby established a commission to be known as the New Hampshire Medicaid enhancement tax commission. The members of the commission shall be as follows:

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

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

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of revenue administration, or designee.

(5) The commissioner of the department of insurance, or designee.

(6) A representative of a licensed acute care hospital designated as a critical access hospital, appointed by the governor.

(7) A representative of a licensed acute care hospital without critical access hospital designation, appointed by the governor.

(8) A representative of a licensed acute care hospital with a specialty hospital designation, appointed by the governor.

(9) A representative of health insurance carriers, appointed by the governor.

(10) Four public members, appointed by the governor.

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

(c) Members under subparagraphs (a)(1) through (5) shall serve terms coterminous with their term of office. The other members of the commission shall serve 3-year terms, provided that initial appointments shall be for staggered terms of one, 2, or 3 years.

II. The commission shall advise and recommend to the governor options for restructuring the framework of the Medicaid enhancement tax (MET) to:

(a) Support sustainability of uncompensated care payments.

(b) Increase predictability of future annual MET revenues, taking into consideration the MET revenue trends of recent years.

(c) Simplify the MET liability calculation.

(d) Address the forthcoming reduction in DSH allotments as directed by provisions of the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the chairperson no later than August 15, 2013. The first meeting of the committee shall be held within 45 days of the effective date of this section. Five members of the committee shall constitute a quorum.

66 Department of Corrections; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of corrections may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.

67 Department of Corrections; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department.

68 Department of Corrections; Overtime. In the event that expenditures in class line 018 overtime within the department of corrections are greater than amounts appropriated, the commissioner may request, for the biennium ending June 30, 2015, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. Upon fiscal committee and governor and council approval, the governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

69 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows:

(f) ~~[Neither]~~ ***Notwithstanding any provision of law to the contrary***, the department ~~[nor the judicial council]~~ shall have ~~[authority]~~ ***no responsibility*** for the payment of the cost of assigned counsel for any party under this chapter.

70 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows:

604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. ***In cases involving a neglected or abused child, when an attorney is appointed to represent a parent determined to be indigent pursuant to RSA 169-C:10, II, at the preliminary hearing or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.***

71 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows:

(a) Appoint a CASA or other approved program guardian ad litem or an attorney ~~for other qualified guardian ad litem~~ to represent the child pursuant to RSA 169-C:10.

72 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as follows:

(a) In cases involving a neglected or abused child under this chapter, where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem, the court may appoint an attorney to represent the interests of the child. ***In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.***

73 Liquor Commission. Amend RSA 176:1 to read as follows:

176:1 Commission. There shall be a state liquor commission ~~[consisting of 3 members]~~ ***under the executive direction of a liquor commissioner, who shall also be known as the chairman of the liquor commission***, appointed by the governor with the consent of the council. ~~[Not more than 2 members shall belong to the same political party. Each member]~~ ***The commissioner shall have significant business management and retail experience and shall complete a criminal history records check prior to confirmation by the council. The liquor commissioner shall hold office for a term of 6 years. If a vacancy shall occur [in the commission], it shall be filled for the remainder of the term. [Any or all of the commissioners] The commissioner may be removed by the governor and council for cause.***

74 Chairman; Compensation. Amend RSA 176:2 to read as follows:

176:2 ~~[Chairman]~~ ***Liquor Commissioner***; Compensation. ~~[The chairman of the commission shall be appointed and commissioned as such by the governor with the consent of the council, and his term shall be coterminous with each term of the governor unless his successor shall have been sooner appointed. The expiration or termination of a commission member's term of office as chairman of the commission shall in no way affect the length of his term as a commission member as established under RSA 176:1.]~~ The annual salary of ~~[each member of the commission]~~ ***the commissioner*** shall be as specified in RSA 94:1-a, and the ~~[commissioners]~~ ***commissioner*** shall receive ~~[their]~~ ***his or her*** reasonable expenses while traveling in the performance of ~~[their]~~ ***his or her*** duties, provided that ~~[they]~~ ***the commissioner*** shall not be allowed as expenses, travel between ~~[their places]~~ ***his or her place*** of residence and ~~[their]~~ ***the commissioner's*** office in Concord, nor shall ~~[they]~~ ***the commissioner*** be allowed board or lodging while in Concord. The ~~[chairman of the commission]~~ ***commissioner*** shall serve as the representative to the National Alcoholic Beverage Control Association.

75 New Section; Deputy Commissioner. Amend RSA 176 by inserting after section 2 the following new section:

176:2-a Deputy Commissioner.

I. The commissioner shall nominate a deputy commissioner for appointment by the governor with the consent of the council who shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall hold office for a term of 4 years and may be reappointed. The deputy commissioner shall be subject to a background check by the state police prior to appointment.

II. If a vacancy shall occur in said office, it shall be filled for the remainder of the term. The deputy commissioner may be removed by the governor and council for cause.

III. The annual salary of the deputy commissioner shall be as specified in RSA 94:1-a.

IV. The deputy commissioner shall perform such duties as are assigned by the commissioner. The deputy commissioner shall assume the duties of the commissioner in the event that the commissioner is unable for any reason to perform such duties.

V. The deputy commissioner shall, subject to the supervision of the commissioner, exercise authority as required to ensure that the divisions and their directors are implementing the organizational goals and managing the work of the commission in an effective and efficient manner.

76 Requirements. Amend RSA 176:4 to read as follows:

176:4 Requirements. The ~~[members of the commission]~~ **commissioner** shall devote ~~[their]~~ **his or her** entire time to the service of the commission. ~~[No member of the commission]~~ **The commissioner** shall ~~[be directly or indirectly interested]~~ **not have any financial interest, direct or indirect**, in the liquor or beverage business. The compensation and expenses of the ~~[commissioners]~~ **commissioner** and the expenses of the administration of this chapter shall be paid by the state on the warrant of the governor with the approval of the council.

77 Divisions and Directors. Amend RSA 176:8 to read as follows:

176:8 Divisions and Directors. The commission shall have 3 divisions under the direction of unclassified division directors. The directors shall be ~~[appointed by the commission and serve at the pleasure of the commission based on]~~ **nominated by the commissioner for appointment by the governor with the consent of the council and shall serve for terms of 4 years dependent upon maintaining** good behavior and competence. There shall be a division of marketing, merchandising, and warehousing, a division of administration, and a division of enforcement and licensing. **The director of the division of enforcement and licensing shall be subject to a background check by the state police prior to appointment.**

78 Investigations. Amend RSA 176:9, III to read as follows:

III. ~~[Any member of the commission]~~ **The commissioner**, assistant, or liquor investigator may enter any place where liquor, beverages, or tobacco products are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

79 Purchases by the Liquor Commission. Amend RSA 176:17 to read as follows:

176:17 Purchases by the Liquor Commission. The liquor commission shall purchase all liquor, wine, and beverages from primary sources. For the purposes of this title, primary source means the manufacturer or producer, whether or not it is within the state. If a primary source is not available, the ~~[commission]~~ **commissioner** may, if ~~[it]~~ **he or she** feels it is in the best interests of the state, ~~[vote at its regular meeting to]~~ allow an exemption and shall explain why such exemption has been allowed.

80 Employment Prohibited. Amend RSA 179:21 to read as follows:

179:21 Employment Prohibited. No elected state official, ~~[member of the]~~ liquor ~~[commission]~~ **commissioner**, or employee of the liquor commission responsible for making recommendations to the commission relative to the purchase of liquor, wine, or beer shall hold a liquor or wine representative license for a period of ~~[1]~~ **one** year from the date that such person leaves office or terminates such employment.

81 Employment Intervention. Amend RSA 179:22, II to read as follows:

II. It shall be unlawful for **the liquor commissioner or any** ~~[member or]~~ employee of the commission knowingly to intervene in the selection, employment, or dismissal of any liquor or wine representative, or other agent or employee of any distiller, importer, rectifier, or other holder of a liquor or wine manufacturer license or liquor or wine vendor license.

82 Hearings. Amend RSA 179:56, I to read as follows:

I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission~~[, or any member,]~~ may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

83 Applicability.

I. The chairman and next senior member of the liquor commission holding their offices on the effective date of sections 73-82 of this act shall remain in office until the expiration of their appointed terms. The chairman shall assume the title and duties of the commissioner and the next senior member shall assume the title and duties of the deputy commissioner for the remainder of their terms. The salaries of the chairman and next senior member shall not be reduced during their service as commissioner and deputy commissioner for the unexpired term.

II. The initial appointment of division directors under RSA 178:8, as amended by this act, shall be for abbreviated terms determined by the governor and council so that the expiration of appointed terms shall be one year apart.

III. Sections 73-82 of this act shall not affect the validity of any rule, order, or contract of the commission adopted, issued, or executed prior to the effective date of such sections.

84 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42, IV to read as follows:

IV. For the fiscal year beginning July 1, [2011] **2013**, and every fiscal year thereafter, the department of education may expend funds up to [110] **100** percent of budgeted amounts as necessary to fund chartered public school tuition payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. ~~[In the event that chartered public school tuition payments exceed budgeted amounts by over 10 percent, the department of education may expend funds in excess of said amounts, with the approval of the fiscal committee of the general court and governor and council. Said funds shall be paid from the education trust fund established under RSA 198:39 upon the warrant of the governor out of any money in the fund not otherwise appropriated.]~~

85 Committee Established. There is established a committee to study both the realized and potential effects of chartered public school funding options on the state's economy and existing revenue base.

I. The members of the committee shall be as follows:

(a) One member of the house ways and means committee, appointed by the speaker of the house of representatives.

(b) One member of the senate ways and means committee, appointed by the president of the senate.

(c) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(d) One member of the state board of education, appointed by the chairman of the state board of education.

(e) One member with experience in public education, appointed by the governor.

II. The committee shall solicit advice and testimony from the chairman of the state board of education, or another member designated by the chairman, and from members of the public with experience in public education recommended by the governor.

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

IV. The committee shall study the following issues:

(a) Costs of instruction in a chartered public school.

(b) Funding mechanisms for chartered public schools, including the current state adequate education funding model.

(c) Costs of administration and facilities.

(d) Stability and sustainability of chartered public schools over time.

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

VI. The committee shall report its findings 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, 2013.

86 Chartered Public Schools; Approval by State Board of Education. Amend RSA 194-B:3-a to read as follows:
194-B:3-a Chartered Public School Approval by State Board of Education.

I. The state board of education may grant charter status to applicants that meet the requirements of this chapter.

II. The proposed chartered public school application shall be presented for approval directly to the state board of education by the applicant for the prospective chartered public school. The content of such application shall conform to the requirements set forth in RSA 194-B:3, II(a)-(bb) and (dd) **and shall also contain, within the application's renewal provision, language requiring the state board of education to approve any change in enrollment.** The department of education shall notify an applicant of any missing information within 10 days of the initial filing. The applicant shall file any missing information before the department reviews the application.

III. The department of education may forward the proposed application to the applicant, along with a written statement detailing any suggested amendments or modifications.

IV. The state board of education shall either approve or deny an application using reasonable discretion in the assessment of the elements set forth in RSA 194-B:3, II, (a)-(bb) and (dd) **and whether, in the discretion of the state board the proposed chartered public school serves the state's needs geographically or programmatically.** Approval of an application constitutes the granting of charter status and the right to operate as a public chartered public school. The state board of education shall notify all applicants of its decision in writing, and shall include in any notice of denial a written statement specifying any areas deemed deficient, the reasons for the denial, and explaining that the applicant may reapply under RSA 194-B:3 or under this section in a subsequent year.

V. Any material change to an approved application, charter, or contract, including any change in enrollment, shall be submitted to the state board of education for approval.

VI.(a) The following provisions of law shall not apply to chartered public school applications proposed under this section, or to chartered public schools granted approval for operation under this section:

- (1) RSA 194-B:3, II(cc).
- (2) RSA 194-B:3, III-IV.
- (3) RSA 194-B:3, XI.
- (4) RSA 194-B:15, II.

(b) Except as provided in this paragraph, the provisions of RSA 194-B shall apply to chartered public schools approved for operation by the state board of education under this section.

(c) Not more than 10 percent of the resident pupils in any grade shall be eligible to transfer to a chartered public school in any school year without the approval of the local school board.

87 Chartered Public Schools; Reporting Requirements. Amend RSA 194-B:10, III to read as follows:

III. To ensure compliance with its application and contract and applicable law, a chartered public school shall be subject to a first year ~~[and periodic subsequent]~~ program ~~[audits]~~ ***audit*** by the department of education or its agent, ***and shall be subject to a program audit by the department of education at least once every 3 years thereafter.***

88 Chartered Public Schools; Funding for Biennium. Notwithstanding RSA 198:42, IV, funding for chartered public schools for the fiscal year ending June 30, 2014 shall not exceed \$18,573,856 and for the fiscal year ending June 30, 2015 shall not exceed \$21,018,560. No additional expenditures for chartered public schools shall be made during the biennium ending June 30, 2015.

89 New Paragraph; Community College System Retiree Health Benefit Fund. Amend RSA 188-F:7 by inserting after paragraph IV the following new paragraph:

V. There is hereby established in the office of the treasurer a fund to be known as the community college system retiree health benefit, which shall be accounted for separately from other funds. All moneys credited to the fund from payments made to the treasurer by the community college system shall be used exclusively for payment of the costs associated with the provision of retiree health care benefits for community college employees who retired after July 1, 2011 and became eligible for retiree health care benefits. The plan design and cost-sharing arrangement shall be equivalent to the health benefits offered to retired state employees pursuant to RSA 21-I:30, RSA 21-I:30, XIII and RSA 100-A:54, III shall apply to such retirees. The moneys in the fund shall be nonlapsing and continually appropriated to the treasurer.

90 New Chapter; New Hampshire Scholarship Program. Amend RSA by inserting after chapter 200-M the following new chapter:

CHAPTER 200-N

NEW HAMPSHIRE SCHOLARSHIP PROGRAM

200-N:1 Program Established. There is hereby established the New Hampshire scholarship program which shall be administered by the department of education. The purpose of this program is to provide academic scholarships to students pursuing a degree at a public postsecondary educational institution in New Hampshire, or outside of New Hampshire if the educational institution is located in a state that has entered into a reciprocal scholarship agreement with New Hampshire. All funds received pursuant to this chapter shall be nonlapsing and continually appropriated to the department of education for the purposes of this program.

200-N:2 Program Criteria.

I. Any student who has graduated from a public or private high school or has received a GED or other high school equivalency certificate in New Hampshire, who is interested in pursuing an associate's, bachelor's, or master's degree at any public postsecondary educational institution in New Hampshire, or outside of New Hampshire if the educational institution is located in a state that has entered into a reciprocal scholarship agreement with New Hampshire, and whose family income is less than 200 percent of the state median family income based on the most recent calculations by the United States Department of Commerce, Census Bureau, shall be eligible to apply for this program.

II. Applicants who are selected to receive a scholarship under this program shall meet the academic and other criteria as may be established pursuant to this chapter. The scholarship shall be for a maximum of 5 academic years.

200-N:3 Rulemaking. The commissioner of the department of education shall adopt rules, pursuant to RSA 541-A, relative to the following:

I. The academic standards by which scholarships shall be awarded.

II. Priorities in awarding scholarships where the funds available for scholarships are less than the amount needed for eligible applicants.

III. A scholarship application process, which includes but is not limited to requiring that all applicants complete a formal scholarship application on appropriate forms to be developed by the department of education and time frames for the application process.

IV. Procedures for awarding and disbursing scholarships.

V. Procedures for determining the amount of funds available each fiscal year for scholarships.

91 Repeal. The following are repealed:

I. RSA 77-A:5, XV, relative to the education tax credit against the business profits tax.

II. RSA 77-E:3-d, relative to the education tax credit against the business enterprise tax.

III. RSA 77-G, relative to the education tax credit.

92 Repeal. 2011, 224:221, relative to fines paid by mail, is repealed.

93 Police Standards and Training Council Training Fund. Amend RSA 188-F:30 to read as follows:

188-F:30 Police Standards and Training Council Training Fund. There is established in the state treasury a separate fund to be known as the police standards and training council training fund from which the state treasurer shall pay expenses incurred in the administration of this subdivision. ***This fund shall be nonlapsing and continually appropriated to the police standards and training council.***

94 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-P:12-d to read as follows:

21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire standards and training and emergency medical services fund from which the state treasurer shall pay expenses incurred in the administration of the division of fire standards and training and emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, the division of homeland security and emergency management, and the position of fireworks inspector, under RSA 160-C:17. ***If the expenditure of additional funds over budget estimates was unanticipated and is necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the division of homeland security and emergency management, the commissioner of the department of safety may transfer funds, with the prior approval of the fiscal committee of the general court, from this fund to the department of safety for such purposes.***

95 Land and Community Heritage Investment Program Trust Fund; Deposit of Recording Surcharge. Notwithstanding the provisions of RSA 478:17-g, II(c), for the fiscal year ending June 30, 2014, the amount of \$2,000,000 received from the recording surcharge collected by registers of deeds under RSA 478:17-g, II(a) shall be credited to the general fund and the remainder of the funds received from the surcharge shall be deposited in the land and community heritage investment program trust fund under RSA 227-M:7, and for the fiscal year ending June 30, 2015, the amount of \$1,000,000 received from the recording surcharge collected by registers of deeds under RSA 478:17-g, II(a) shall be credited to the general fund and the remainder of the funds received from the surcharge shall be deposited in the land and community heritage investment program trust fund under RSA 227-M:7.

96 PUC Expenditure for Green Launching Pad. Notwithstanding any other law to the contrary, in each year of the biennium ending June 30, 2015, the public utilities commission shall expend \$250,000 of agency income appropriated in class line 102 in accounting unit 02-81-81-811510-5454, renewable energy fund, to provide funds to the Green Launching Pad at the university of New Hampshire.

97 Business Enterprise Tax; Threshold Amounts for Taxation; Effective Date. Amend 2012, 279:12, I to read as follows:

I. Section 1 of this act shall be in effect for taxable periods ending on or after December 31, [2013] **2015**.

98 Tobacco Tax Rate Increased. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [\$1.68] **\$1.98** for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

99 Tobacco Tax Rate. Amend RSA 78:7-c to read as follows:

78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [48] **56.6** percent of the wholesale sales price. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.

100 Applicability. Sections 98 and 99 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all cigarettes and taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 60 days after the effective date of this section. The tax rate effective July 1, 2013 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate of tax shall be paid with the inventory form. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

101 Repeal. 2011, 224:379 through 224:381, relative to contingent tax rate increases of the tobacco tax on cigarettes and other tobacco products based on reporting of tobacco tax revenues, are repealed.

102 Tax on Meals and Rooms; Disposition of Revenue. RSA 78-A:26, I is repealed and reenacted to read as follows:

I. Beginning on July 1, 1995, and for each fiscal year thereafter, the department shall pay over all revenue, except revenues identified in paragraph III of this section, collected under this chapter to the state treasurer. On or before October 1 of each year, the department shall determine the cost of administration of this chapter for the fiscal year ending on the preceding June 30, and it shall notify the state treasurer of these costs by a report certified by them as to correctness. After deducting the cost of administration of the chapter from the total income, the state treasurer shall distribute the net income as follows:

(a) The amount necessary to provide payments of principal and interest on the bonds and notes authorized under RSA 198:15-a, II for the fiscal years ending June 30, 2009 through June 30, 2030;

(b) An amount equal to 3.15 percent of the net income distributed under the introductory paragraph of paragraph I and subparagraph I(a) in the first year of the preceding fiscal biennium, which shall be credited to the department of resources and development, division of travel and tourism development;

(c) Forty percent of the net income under the introductory paragraph of paragraph I of the most recent fiscal year to the unincorporated towns, unorganized places, towns, and cities. The amount to be distributed to each such town, place, or city shall be determined by multiplying the amount to be distributed by a fraction, the numerator of which shall be the population of the unincorporated town, unorganized place, town or city and the denominator of which shall be the population of the state. The population figures shall be based on the latest resident population figures furnished by the office of energy and planning; and

(d) The remainder to the general fund.

103 Reference Change. Amend RSA 6:12, I(b)(21) to read as follows:

(21) The money received under RSA 78-A:26, [I(a)] **I(b)** and RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of resources and economic development.

104 Carry Forward Credit Period Changes; Effective Date. Amend 2011, 225:2 and 225:3 to read as follows:

225:2 Applicability. Section 1 of this act shall take effect for taxable periods ending on or after July 1, [2014] **2015**.

225:3 Effective Date. This act shall take effect July 1, [2014] **2015**.

105 Director of Division of Forests and Lands; Retirement Classification. Notwithstanding the provisions of RSA 100-A:1 or RSA 100-A:3 to the contrary, if the person holding the position of acting director of the division of forests and lands, department of resources and economic development, on the effective date of this act is appointed as the full-time director of the division of forests and lands, such person may continue to be considered a permanent fireman in group II for the term of such person's service as director, provided that immediately prior to appointment as director such person was a group II member and continues to meet the physical, mental, educational, and other qualifications to fight forest fires as a group II fireman.

106 Fish and Game Department; Publications, Specialty Items and Fund Raising Revolving Fund. Amend RSA 206:22-a, III to read as follows:

III. The amount in the publications, specialty items and fund raising revolving fund shall not exceed [~~\$200,000~~] **\$100,000** and any amounts in excess of [~~\$200,000~~] **\$100,000** shall be deposited in the fish and game fund. Any moneys in the fund not in excess of [~~\$200,000~~] **\$100,000** shall not lapse.

107 Fish and Game Department; Accounts Transferred; Prepaid Fish and Game License Fund. All moneys existing in the prepaid fish and game license account as of June 30, 2013 shall be transferred to the fish and game fund established in RSA 206:33.

108 Repeal. The following are repealed:

I. RSA 214:9-c, IV and V, relative to moneys received for lifetime licenses for hunting, fishing, and trapping.

II. RSA 214:9-cc, IV and V relative to moneys received for lifetime licenses for bow and arrow, muzzle-loader, and crossbow.

III. RSA 6:12, I(b)(163), relative to prepaid fish and game license fund.

109 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department, with the approval of the fish and game commission, may utilize funds in the wildlife habitat account established in RSA 214:1-f and fisheries habitat account established in RSA 214:1-g for the wages, salaries, benefits, and other expenses of the department employees.

110 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department may utilize funds in the statewide public boat access fund established in RSA 233-A:13 for the wages, salaries, benefits, and other expenses of the department employees.

111 New Section; Fish and Game Department; Divisions Within the Department. Amend RSA 206 by inserting after section 1 the following new section:

206:1-a Divisions Within the Department. There are established the following divisions, as defined in RSA 21-G:5, within the fish and game department:

- I. The division of marine fisheries, under RSA 211:65.
- II. The fisheries division.
- III. The wildlife division.
- IV. The business division.
- V. The facilities and lands division.
- VI. The law enforcement division.
- VII. The public affairs division.
- VIII. The office of the executive director.

112 Fish and Game Department; Fish Food Sales Revenue. Amend RSA 206:35-c to read as follows:

206:35-c Fish Food Sales Revenues. The state treasurer shall establish a separate account to which shall be credited all monies collected by the fish and game department from the sale of fish food at hatchery vending machines. The ~~[monies]~~ **moneys** in said account shall be used for the acquisition and maintenance of fish hatchery equipment **and/or emergency trout or salmon egg purchase** and are hereby appropriated for said purposes. Said funds shall be nonlapsing and are to be expended for the purposes of this section as determined by the executive director with the approval of the commission.

113 Certificate of Need; Nursing Home Beds; Rehabilitation Beds; Moratorium Extended. Amend RSA 151-C:4, III(a) to read as follows:

III.(a) No new certificate of need shall be granted by the board for any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility from the effective date of chapter 310, laws of 1995, department of health and human services reorganization act, through the period ending June 30, ~~[2014]~~ **2017**. This moratorium shall also apply to new certificates of need regarding any rehabilitation bed in any type of facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. However, a certificate of need shall be issued for replacement or renovation of existing beds as necessary to meet life safety code requirements or to remedy deficiencies noted in a licensing inspection pursuant to RSA 151 or state survey and certification process pursuant to titles XVIII and XIX of the Social Security Act. In addition, a certificate of need may be issued for construction or renovation as necessary to repair or refurbish an existing facility, or to accommodate additional beds obtained by transfer to an existing facility. In the case of repair, refurbishment, or transferred beds, the resulting costs in excess of the current capital expenditure threshold as adjusted for inflation pursuant to RSA 151-C:5, II(f)(1) shall not be reflected in any state Medicaid rate. Any application for a certificate of need under this subparagraph shall indicate whether it is for a life safety code requirement or to remedy deficiencies noted in a licensing inspection or whether it is for repair or refurbishment of an existing facility or for transferred beds. If the application is approved, it shall be deemed that the board has agreed with the indicated reason for such application.

114 Health Services Planning and Review Board. RSA 151-C:3 is repealed and reenacted to read as follows:
151-C:3 Health Services Planning and Review Board.

I.(a) There is hereby established a health services planning and review board composed of the following members:

- (1) The commissioner of the department of health and human services, or designee.
- (2) The insurance commissioner, or designee.
- (3) Three persons, each from a different region of the state and qualified by reason of education and experience, whose occupation is not in the delivery of health care services, who has no fiduciary obligation or financial interest in any health care facility or health care insurer licensed or regulated by this state, and who is not related in his or her immediate family to anyone who is involved in the delivery of health care services or health insurance, appointed by governor and council.

(b) The commissioner of the department of health and human services, or designee, and the insurance commissioner, or designee, shall serve as the only permanent members of the board. All other members of the board shall serve 3-year terms, provided that of the initial members, one person appointed pursuant to subparagraph I(a)(3) shall serve for one year, one person appointed pursuant to subparagraph I(a)(3) shall serve for 2 years, and one person appointed pursuant to subparagraph I(a)(3) shall serve for 3 years. Members of the board shall not serve more than 2 full consecutive terms.

II. The governor shall appoint a chairman of the board, who shall serve at the pleasure of the governor, from among its members.

III. Members of the board shall be reimbursed for reasonable expenses incurred in carrying out their duties under this chapter.

IV. The board shall be administratively attached, pursuant to RSA 21-G:10, to the department of health and human services and shall exercise its powers, duties, functions, and responsibilities independently of the department, except as specifically provided by law. The board shall submit its budget requests and such reports required of it by law through the department of health and human services.

V. The commissioner of the department of health and human services shall provide staff as the board directs. The board may also hire consultants and other staff; provided that such expenses shall not exceed \$500,000 annually. The commissioner shall also provide space for the board and staff and other assistance and materials as necessary.

115 Certificate of Need; Standard Development. Amend RSA 151-C:5, II(a) to read as follows:

(a) The construction, development, expansion, or alteration of any acute care facility requiring a capital expenditure of more than [~~\$1,759,512~~] **\$2,974,891**. The board shall, by rule, adjust the capital expenditure threshold annually using an appropriate inflation index.

116 Certificate of Need; Standard Development. Amend RSA 151-C:5, II(d)-(f) to read as follows:

(d)(1) The purchase, lease, **by either capital, operating or any other kind of lease**, donation, transfer, or other [~~comparable~~] arrangement by or on behalf of a health care provider **to obtain the use** of diagnostic or therapeutic equipment for which [~~the cost or, in the case of donation,~~] the value is in excess of \$400,000, including standards for one or more articles of diagnostic or therapeutic equipment which are necessarily interdependent in the performance of their ordinary functions as determined by the board.

(2) The board shall not develop standards for the purchase of **replacement** equipment which is substantially similar to equipment owned by the provider within the preceding 12 months, provided the **replacement** equipment will **be used in the same facility as the replaced equipment**, will not result in a substantial increase in **total annual** operating costs **to the health care provider** above that of the [~~existing or~~] replaced equipment, **and the replaced equipment will be removed from service by the health care provider or any of its affiliates. Regardless of any other criteria for determining if equipment is substantially similar, replacement equipment shall not be substantially similar if its value exceeds the original value of the replaced equipment by more than 15 percent plus inflation since the acquisition of the replaced equipment;**

(e) The increase or conversion of inpatient beds;

(f)(1) Except as provided in subparagraph (2) **and RSA 151-C:13, I(a)**, the construction, development, expansion, renovation, or alteration of any nursing home, ambulatory surgical facility, rehabilitation hospital, psychiatric hospital, specialty hospital, or other health care facility requiring a capital expenditure of more than [~~\$1,173,000~~] **\$1,983,260**. The board shall, by rule, adjust the capital expenditure threshold annually using an appropriate inflation index.

(2) The threshold amount for construction of ambulatory surgical centers within the service area of a hospital with fewer than 70 general hospital beds licensed by the department of health and human services shall be [~~\$500,000~~] **\$845,374**, which threshold shall be adjusted annually using an appropriate inflation index, unless there is an objection by such hospital, in which case the application shall be subject to review regardless of value. The board shall determine by rule the service areas of such hospitals.

117 New Paragraph; Certificate of Need; Standard Development. Amend RSA 151-C:7 by inserting after paragraph IV the following new paragraph:

V. The utilization and the financial impact of increased utilization, the effect on the average cost of a procedure, whether total health care costs of the state will be increased, not just whether unit costs will be decreased, and health outcomes.

118 New Section; Additional Reports Required. Amend RSA 151-C by inserting after section 12 the following new section:

151-C:12-a Additional Reports Required.

I. In addition to the reports required under RSA 151-C:12, an applicant receiving a certificate of need shall make periodic reports to the board relative to capital costs as compared to approved amounts.

II. The department of health and human services shall make periodic reports to the board relative to the operating costs of a particular project and the overall costs to the state using the all-payer claims data base.

III. The board shall submit an annual report, beginning November 1, 2013, for the entire state and for each hospital services area containing the following information to the speaker of the house of representatives, the president of the senate, and the governor:

(a) Per-capita supply of health care resources, including, at least, acute care hospitals, rehabilitation and post-acute beds, and licensed physicians; and

(b) Per-capita rates of utilization, spending, and relative prices for major categories of care for at least commercial payers and the Medicare program.

119 Certificate of Need; Definitions. Amend RSA 151-C:2, VI to read as follows:

VI. "Capital expenditure" means an expenditure which, under generally accepted accounting principles consistently applied, is not properly chargeable as an expense of operation or maintenance, and includes acquisition by purchase, by transfer, or by **capital, operating or any other type of** lease or comparable arrangement, or through donation, if the expenditure would have been considered a capital expenditure if acquisition had been by purchase.

120 Repeal. RSA 151-C, relative to the certificate of need law, is repealed.

121 Exemption Added. Amend RSA 151-C:13, I(h) and (i) to read as follows:

(h) Notwithstanding any other provision of this chapter, a skilled nursing facility distinct part unit established by Androscoggin Valley Hospital or Franklin Regional Hospital in order to qualify as a critical access hospital under 42 U.S.C. section 1395i-4 and 42 CFR Part 485, Subpart F; provided, that the number of beds in the skilled nursing facility distinct part unit shall not exceed the hospital's existing skilled nursing patient capacity. For purposes of this subparagraph, the term "existing skilled nursing patient capacity" means with respect to each month, the number of skilled nursing patient days for such month divided by the number of days in such month, and shall be the highest such number from the 12-month period ending immediately prior to the filing of the federal request for approval of the distinct part unit; provided, however, that the number determined under this subparagraph shall not exceed 10 beds; ~~and~~

(i) Acute care centers established, operated, or designated by the department pursuant to RSA 141-C:26; **and**

(j) Federally qualified health centers as defined in section 330 of the Public Health Service Act (42 U.S.C. section 2546).

122 Repeal. 2012, 282:17, II, relative to a prospective repeal of RSA 151-C, is repealed.

123 Certificate of Need; Issuance. Amend RSA 151-C:9, I to read as follows:

I. Upon completion of the review, the board, by majority vote of eligible board members, shall render a decision on the applicant or applicants which filed in response to a request for application. Any board member who has a personal or business conflict with any application shall not vote on such application. The decision shall be in the form of an approval, denial, or an approval with conditions. An approval of a certificate of need shall be in conformance with the standard used as the basis for the request for application. ***The board shall not deny any application which satisfies the applicable standard developed under RSA 151-C:5 solely because the new institutional health service proposed by the applicant is likely to cause economic harm to an existing provider of health care services other than a hospital which qualifies as a critical access hospital under federal law. The board may deny an application based on finding a new institutional health service is likely to have a material adverse impact on quality of care or access to services.***

124 New Section; Certificate of Need; State Health Plan. Amend RSA 151-C by inserting after section 4 the following new section:

151-C:4-a State Health Plan.

I. The board shall develop and issue a state health plan every 2 years. The state health plan shall provide guidance relative to the certificate of need process under this chapter to support priority goals. Specifically, the state health plan shall provide goals and key strategies for improving the health of New Hampshire citizens that ensure:

(a) Quality of health care based on evidence-based practices to improve health outcomes.

(b) Access to necessary health care services.

(c) Efficient spending of limited health care resources to produce reasonable savings and more affordable health care.

II. The board shall make an annual report beginning December 1, 2013 to the governor, president of the senate, speaker of the house of representatives, commissioner of the department of health and human services, commissioner of the insurance department, and commissioner of the department of administrative services. The annual report shall assess progress toward meeting the state health plan goals.

125 Applicability. The current health services planning and review board shall continue to function until the new board established in section 114 of this act is in place.

126 Department of Resources and Economic Development; Cannon Mountain. For each year of the biennium ending June 30, 2015, \$500,000 in net revenue derived by the department of resources and economic development from fees, services, accommodations, rentals, revenue from lift and tramway operations, retail sales, and concession operations for Cannon Mountain shall be deposited in the state park fund established in RSA 216-A:3-i. Net revenue in excess of \$500,000 shall be appropriated for capital improvement projects at Cannon Mountain as determined by the commissioner.

127 Education; College Tuition Savings Plan; UNIQUE Endowment Allocation Program. Amend RSA 195-H:4, V to read as follows:

V. Notwithstanding RSA 6:12, I(b)(115), for the biennium ending June 30, ~~[2013]~~ **2015**, annual administrative fees, less any annual administrative costs that are generated from the New Hampshire college tuition savings plan, less ~~[\$500,000]~~ **\$625,000** per year which shall be distributed to **public and** private New Hampshire colleges and universities under the UNIQUE endowment allocation program established in administrative rule Csp ~~[701-703]~~ **700, less amounts appropriated to the department of education for need-based scholarships**, shall be allocated in the following manner: 70 percent of such total shall be paid annually prior to the end of each state fiscal year to the university system of New Hampshire and 30 percent of such total shall be paid annually prior to the end of each state fiscal year to the community college system of New Hampshire.

128 Department of Employment Security; Deputy Commissioner. RSA 282-A:109 is repealed and reenacted to read as follows:

282-A:109 Deputy Commissioner.

I. The commissioner of employment security shall nominate for appointment by the governor, with the consent of council, a deputy commissioner of the department of employment security, who shall serve for a term of 4 years and shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall act as commissioner whenever the commissioner of the department of employment security is incapacitated, absent, or unable to act for any cause. The deputy commissioner shall also act as commissioner of the department of employment security until a new commissioner is duly appointed whenever there is no commissioner.

II. The salary of the deputy commissioner shall be specified in RSA 94:1-a, I.

129 Department of Employment Security Deputy Commissioner.

I. There is established within the department of employment security the unclassified position of deputy commissioner. The deputy commissioner shall be qualified to hold that position by reason of education and experience, and shall be nominated by the commissioner of employment security for appointment by the governor, with the consent of the executive council, and shall serve for a term of 4 years.

II. The salary of the deputy commissioner shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the deputy commissioner, position 11303 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of deputy commissioner. Funding shall be transferred into expenditure class 011, within accounting unit 02-27-27-270010-8040. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of deputy commissioner.

III. Paragraphs I and II shall take effect upon the abolition of position 11303, the transfer of funding and appropriations into the unclassified position and the initial appointment of the deputy commissioner, as certified by the commissioner of employment security to the director of legislative services.

130 Department of Administrative Services; Transfer of Dedicated Funds; General Fund Reimbursement.

I. Notwithstanding RSA 6:12 or any other law to the contrary, for the fiscal year ending June 30, 2013, the governor is hereby authorized to identify an amount of dedicated funds for transfer to the general fund, sufficient to cover the budget shortfall. The department of administrative services, with prior approval of the fiscal committee of the general court, shall transfer the amounts of the funds identified by the governor to the general fund.

II. For the fiscal year ending June 30, 2013, the commissioner of administrative services shall file a report of all reimbursements of general fund costs resulting from settlements or other means to the fiscal committee of the general court.

131 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law to the contrary and subject to approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of transportation is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department.

132 New Section; Commission to Study Opportunities and Options to Improve the Sustainability of the Fish and Game Department. Amend RSA 206 by inserting after section 1-a the following new section:

206:1-b Commission to Study Opportunities and Options to Improve the Sustainability of the Fish and Game Department.

I. There is established a commission to study opportunities and options to improve the sustainability of the fish and game department.

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

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

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

(3) The director of the fish and game department, or designee.

(4) The chairman of the fish and game commission, or designee.

(5) Three public members appointed by the governor.

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

III. The commission shall study options and opportunities for ensuring the financial stability and sustainability of the fish and game department. The commission may solicit information and testimony from those with experience or expertise relevant to the study.

IV. 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 constitute a quorum.

V. The commission shall report its findings 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, 2013.

133 Repeal. RSA 201:1-b, relative to the commission to study opportunities to improve sustainability of the fish and game department, is repealed.

134 Banks and Banking; Bank Commissioner; Payment of Cost of Examination. Amend RSA 383:11 to read as follows:

383:11 Payment of Cost of Examination.

I. The bank commissioner shall ~~each fiscal year,~~ charge and collect from ~~[the institutions]~~ **each institution**, the condition and management of which he or she is required to examine under the provisions of RSA 383:9, and which he or she supervises under the provisions of RSA 361-A, RSA 397-A, RSA 397-B, RSA 399-A, RSA 399-D, and RSA 399-G, ~~[the total amount appropriated for the bank commissioner's department. Said sum shall be collected as follows:~~

I. ~~From each such institution examined]~~ **an examination fee, which shall be calculated as** a sum equal to the product of the average daily rate of overall salary costs, including the benefits portion thereof, and expenses of all examining personnel employed in making examinations pursuant to the provisions of RSA 383:9, multiplied by the number of personnel days devoted to the examination of the particular institution, provided, however, that no such institution shall be charged or pay for less than one full day. Sums collected under this section shall be payable to the state treasurer as restricted revenue and credited, in accordance with the banking department's accounting unit designation, to the appropriation for the bank commissioner or the consumer credit administration division.

II. ~~[The balance of said sum remaining after the charges provided for in paragraph I have been deducted from the total sum shall be charged and collected]~~ **If, after the close of each fiscal year, there remains any deficiency between the sums collected under paragraph I, combined with the other fees, fines, and penalties collected by the department during the fiscal year just closed, and actual department expenditures for the fiscal year just closed, the commissioner shall make an assessment of the institutions** as follows:

(a) From banks and credit unions. Each state-chartered savings bank, commercial bank, trust company, cooperative bank, building and loan association, credit union, Morris Plan bank, or similar institution required to be examined under the provisions of RSA 383:9 shall be charged and pay such proportion of said balance applicable to such institutions under the banking department's accounting unit designation, as its total assets bear to the total assets of all such institutions as shown by their reports to the commissioner as of June 30 preceding such charges, except that the percent of the fiduciary assets used in the calculation of the total assets of each institution and all such institutions shall be determined as follows:

(1) Fiduciary assets up to \$5,000,000,000 shall be calculated at 25 percent;

(2) Fiduciary assets that are between \$5,000,000,000 and \$10,000,000,000, shall be calculated at 20 percent;

(3) Fiduciary assets that are between \$10,000,000,000 and \$15,000,000,000, shall be calculated at 15 percent;

(4) Fiduciary assets that are between \$15,000,000,000 and \$20,000,000,000, shall be calculated at 10 percent;

(5) Fiduciary assets that are between \$20,000,000,000 and \$25,000,000,000, shall be calculated at 5 percent;

(6) Fiduciary assets that are between \$25,000,000,000 and \$50,000,000,000, shall be calculated at 2.5 percent;

(7) Fiduciary assets that are \$50,000,000,000 or more, shall be calculated at one percent.

(b) From non-depository lenders, debt adjusters, money transmitters, and brokers. Each licensee and registrant subject to the supervision of the bank commissioner under the provisions of RSA 397-A, RSA 397-B, RSA 399-A, RSA 399-D, RSA 399-G, and sales finance companies under RSA 361-A, shall be charged and shall pay such proportion of said balance applicable to the consumer credit administration division under the banking department's accounting unit designation as the gross revenue received from the total dollar volume of loans made, originated, funded, or brokered, or debt adjustment contracts entered into, or mortgage servicing fees received or money transmitted from each licensee's New Hampshire business bears to the total gross revenue received from the total dollar volume of all such loans made, originated, funded, or brokered, or debt adjustment contracts entered into, or mortgage servicing fees received, or money transmitted, from New Hampshire business by such licensees during the preceding calendar year ending December 31, as shown by their annual reports to the commissioner.

III. *Except for institutions supervised under RSA 361-A, 397-A, 397-B, 399-A, 399-D and 399-G where the individual regulatory chapter specifies a shorter time*, payments of the charges provided for by paragraphs I and II shall be made within 60 days of receipt of the notice thereof.

IV. Any excess collected in any fiscal year under the provisions of this section shall be used to reduce the sum required to be collected in the next succeeding fiscal year.

135 Repeal. 2012, 286:1, relative to the repeal of RSA 122:4, II, relative to reimbursement to cities and towns, is repealed.

136 Department of State; Position of State Records Manager Established.

I. There is hereby established an unfunded classified position of state records manager within the department of state under accounting unit 01-32-32-322510-1610.

II. Notwithstanding any provision of law to the contrary, the secretary of state may fill the unfunded position of state records manager during the biennium ending June 30, 2015, providing that the total expenditures for such position shall not exceed the amount appropriated for personal services.

137 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2015, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.

138 New Paragraph; Department of Justice; Legal Settlement Awards; Reports. Amend RSA 21-M:5 by inserting after paragraph VI the following new paragraph:

VII. Submit to the fiscal committee of the general court a report detailing each legal settlement awarded to the state within 30 days of such award and an annual report 60 days after the close of each fiscal year. All reports under this paragraph shall include, but shall not be limited to:

- (a) The reason for each settlement.
- (b) The purpose for which any settlement is to be used.
- (c) The amount of each settlement.
- (d) An accounting of the allocation of each such settlement.
- (e) Whether further legislative action is required to expend any such settlement.

139 Findings and Intent. The legislature recognizes that in some municipalities one official concurrently holds the offices of both town clerk and tax collector but the municipality has not combined the 2 offices pursuant to RSA 41:45-a. Standing alone, neither office would meet the requirements of RSA 100-A:3, I(a) which permits retirement system membership for certain elected or appointed officials. It is the intent of the legislature that such an official holding both offices for the same retirement system employer be allowed to elect membership in the retirement system or to continue membership if already enrolled, if the hours and salary of the combined offices otherwise meet the requirements for membership.

140 New Subparagraph; Retirement System; Membership. Amend RSA 100-A:3, I(a) by inserting after subparagraph (4) the following new subparagraph:

(5) Notwithstanding subparagraph (4), an official who concurrently holds the offices of town clerk and tax collector for the same employer, and who is eligible for the same fringe benefits as other full-time employees of the employer, may satisfy the conditions under subparagraphs (2)-(3) by using both elected or appointed offices to qualify.

141 Report; Mosaic Parcel GIS System. The department of revenue administration shall compile data on the sharing of the Mosaic Parcel GIS system with other state agencies that includes but is not limited to a listing of the agencies accessing the system, the amount of system time used by each agency, examples of cost allocation plans that could be applied to the use of the system, and any other information that would be necessary in determining the best approach to share costs associated with the system. The department shall provide a report to the house finance committee no later than November 1, 2013.

142 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any other law to the contrary, for the biennium ending June 30, 2015, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.

143 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, RSA 486-A, RSA 149-M, or any other law to the contrary, for the biennium ending June 30, 2015, the department of environmental services shall discontinue the first in, first out delayed and deferred infrastructure project list or any other infrastructure list as it relates to state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Infrastructure projects that were approved by vote of the executive council prior to November 30, 2008 shall continue to be funded. Infrastructure projects on the first in, first out delayed and deferred infrastructure project list prior to December 31, 2012, as listed in section 144 of this act, shall be eligible for state aid grant

payments. Infrastructure projects that had local authorization by December 31, 2008 to construct but are not listed in section 144 are eligible for state aid grants subject to availability of funding. A moratorium shall be in place for any infrastructure projects not listed in section 144 or that did not have local authorization by December 31, 2008 that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purpose.

144 State Aid Grants; First in, First out Delayed and Deferred Project List. The following infrastructure projects from the department of environmental services first in, first out delayed and deferred infrastructure project list for state aid grants under RSA 486, RSA 486-A, or RSA 149-M prior to December 31, 2012 shall be eligible for state aid grant payments:

Wastewater Projects (RSA 486)

FIFO	Pending Grant Number	Applicant (Location)
1	P-001	Winnepesaukee River Basin Program
2	C-777	Manchester
3	C-778	Manchester
4	C-779	Manchester
5	C-780	Manchester
6	C-782	Manchester
7	C-783	Hillsborough
8	C-784	Hillsborough
9	C-781	Manchester
10	C-731	Swanzey
11	C-789	Bristol
12	C-787	Manchester
13	C-785	Portsmouth
14	C-788	Manchester
15	C-786	Manchester
16	P-002	Manchester
17	P-003	Concord
18	P-004	Manchester
19	P-005	Manchester
20	P-006	Hanover
21	P-007	Concord
22	P-010	Lebanon
23	P-009	Lebanon
24	P-008	Lebanon
25	P-011	Hinsdale
26	P-012	Newmarket
27	P-013	Manchester
28	P-014	Newmarket
29	P-015	Allenstown
30	P-016	Allenstown
31	P-017	Allenstown
32	P-018	Allenstown
33	P-019	Amherst
34	P-020	Exeter
35	P-021	Piermont
36	P-022	Derry
37	P-023	Derry
38	P-024	Salem
39	P-025	Epping
40	P-026	Littleton
41	P-027	Nashua
42	P-028	Nashua
43	P-029	Nashua
44	P-030	Newport
45	P-031	Claremont
46	P-032	Nashua
47	P-033	Nashua
48	P-034	Nashua
49	P-035	Manchester

50	P-036	Manchester
51	P-037	Manchester
52	P-038	Manchester
53	P-039	Hanover
54	P-040	Hudson
55	P-041	Merrimack
56	P-042	Jaffrey
57	P-043	Hanover
58	P-044	Manchester
59	P-045	Keene
60	P-046	Tilton
61	P-047	Hampton
62	P-048	Hampton
63	P-049	Manchester
64	P-050	Manchester
65	P-051	Manchester
66	P-052	Keene
67	P-053	Keene
68	P-054	Wolfeboro
69	P-055	Newbury
70	P-056	North Conway Water Precinct
71	P-057	North Conway Water Precinct
72	P-058	North Conway Water Precinct
73	P-059	North Conway Water Precinct
74	P-060	Concord
75	P-061	Manchester
76	P-062	Amherst
77	P-063	Manchester
78	P-064	Marlborough
79	P-065	Hampton
80	P-066	North Conway Water Precinct
81	P-067	Wakefield
82	P-068	Merrimack
83	P-069	Conway Village Fire District
84	P-070	Keene
85	P-071	Manchester
86	P-072	Manchester
87	P-073	Newmarket
88	P-074	Manchester
89	P-075	Manchester
90	P-076	Manchester
91	P-077	Manchester
92	P-078	Manchester
93	P-079	Manchester
94	P-080	Concord
95	P-081	Concord
96	P-082	Rochester
97	P-083	Rochester
98	P-084	Rochester
99	P-085	Bristol
100	P-086	Peterborough
101	P-087	Manchester
102	P-088	Berlin
103	P-089	Berlin

Public Water System Projects (RSA 486-A)

FIFO	Pending Grant Number	Applicant (Location)
1	612010	Lower Bartlett Water Precinct (Bartlett)
2	512020	Birch Hill (Pennichuck, Conway)
3	1471010	Manchester Water Works
4	1531010	Merrimack Village District

5	2353060	White Rock Estates (Tilton)
6	882050	Brake Hill (Gilford)
7	1831010	Orford Village Water District
8	2272010	Granliden Community (Sunapee)
9	511030	North Conway Water Precinct
10	511030	North Conway Water Precinct
11	2041010	Rye Water District
12	511010	Conway Village Fire District
13	1036020	Village Square Condo Assoc (Hampstead)
14	2041010	Rye Water District
15	1051010	Aquarion Water Company (Hampton)
16	1431010	Lyme Water Association

Landfill Projects (RSA 149-M)

FIFO	Pending Grant Number	Applicant (Location)
1	L-144	Nashua
2	L-145	Lebanon
3	L-125	Auburn
4	L-146	Tilton
5	L-148	Whitefield
6	L-147	Unity
7	L-149	Marlow
8	L-150	Farmington

145 Committee Established; State Aid Grants; Department of Environmental Services. There is established a committee to study funding of state aid grants under RSA 486, RSA 486-A, and RSA 149-M.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, 2 of whom shall be members of the finance committee and one of whom shall be a member of the resources, recreation and development committee, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study the state aid programs under RSA 486, RSA 486-A, and RSA 149-M, with emphasis on the funding of these programs. The study shall include, but not be limited to:

(a) Determining whether the current thresholds for state aid are appropriate.

(b) Determining how to fund state aid projects for future projects.

(c) Establishing clear criteria for when and which projects are eligible for state aid grants, if the grants continue.

(d) Any other matter the committee deems relevant.

IV. The committee may solicit information or assistance from any source the committee deems relevant to its study, including but not limited to the department of environmental services and the New Hampshire municipal association.

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

VI. On or before November 1, 2013, the committee shall report its findings and any recommendations for future 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.

146 Adjutant General; New Hampshire National Guard Recruitment and Retention Scholarship Fund. The adjutant general shall expend the sum of \$25,000 for the fiscal year ending June 30, 2014 and the sum of \$25,000 for the fiscal year ending June 30, 2015, from general funds appropriated in class line 107 in accounting unit 02-12-12-120010-1231, Recruit & Retention Schol Fund, to provide funds to the New Hampshire national guard recruitment and retention scholarship fund.

147 Legislative Branch; Special Account; Transfer to the General Fund. Amend 2011; 224:217, II to read as follows:

II. The legislative accountant shall allocate the original \$3,000,000 special legislative account into 4 separate and equal subaccounts. Individual subaccounts shall be established for the senate, the house of representatives, the joint offices, and the office of legislative budget assistant. Beginning in fiscal year [2012] **2013** and each year thereafter [aH], **any** unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, **provided that no subaccount balance shall exceed \$750,000.** [Any subac-

count with a balance in excess of \$750,000 at the end] ***All unexpended and unencumbered appropriations remaining at the close*** of the fiscal year shall [transfer the excess] ***lapse*** to the general fund.

148 Department of State; Expenditure of Funds on Voter Identification Implementation. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2015 the department of state is prohibited from expending Help America Vote Act funds or any other state funds on cameras or other equipment deemed necessary as part of the implementation of 2012, 284 and 2012, 289:4.

149 Federal Disaster Assistance; Transfer of Funds. Notwithstanding any other provision of law, the governor and council, with the prior approval of the fiscal committee of the general court, upon request from the commissioner of safety, may authorize the transfer of general funds not otherwise appropriated to the department of safety, division of homeland security and emergency management, for the purpose of providing required state hard match for federal individual assistance from the federal emergency management agency for disasters declared by the President of the United States.

150 Repeal. RSA 12-L:14, II, relative to the McAuliffe-Shepard discovery center commission business plan, is repealed.

151 Appropriation; North Country Fire Training Facility. Amend 2012, 106:3 to read as follows:

106:3 Appropriation. The sum of \$550,000 is hereby appropriated to the department of safety, division of fire standards and training and emergency medical services, for the biennium ending June 30, 2013 for the purpose of establishing a North Country fire training facility. Said sum shall be a charge against the fire standards and training and emergency medical services fund established in RSA 21-P:12-d. ***This appropriation shall not lapse until June 30, 2014.***

152 Chartered Public Schools; Moratorium. Except as provided in section 160 of this act, no new chartered public school shall be approved by the state board of education under the provisions of RSA 194-B:3-a between July 1, 2013 and June 30, 2015.

153 Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:

I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited as agency income and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the police standards and training council for deposit in the police standards and training council training fund and to the state treasurer to be credited and continually appropriated to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the state treasurer, and shall be credited as agency income by the department of safety within 14 days of their receipt ***and shall not lapse to the general fund until the second year of each biennium.***

154 University System of New Hampshire; Report on Scholarships. The university system board of trustees shall provide a report to the speaker of the house of representatives, the senate president, and the chairpersons of the house and senate finance committees by June 30, 2014 and by June 30, 2015, relative to the distribution of academic scholarships awarded annually by the university system to full-time in-state students, by academic discipline and by campus.

155 Documentation of Marriages; Marriage License Fee. Amend RSA 457:29 to read as follows:

457:29 Marriage License Fee. The fee for the marriage license shall be \$[45] ***50*** to be paid by the parties entering into the marriage. The clerk shall forward \$[38] ***43*** from each fee to the department of health and human services for the purposes of RSA 173-B:15. The clerk shall retain the remaining \$7 as the fee for making the records of notice, issuing the certificate of marriage, and forwarding the \$[38] ***43*** portion of the marriage license fee.

156 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a [Payment for] Inspectional Services. [~~For the purpose of providing inspectional services under this chapter and RSA 318-B:25,~~] The pharmacy board shall [~~enter into separate agreements with~~] ***provide inspectional services under this chapter and RSA 318-B:25*** to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, and the board of nursing[~~providing for each such board to compensate the pharmacy board for such inspectional services. The agreements shall provide for payment based upon a per capita charge for each person registered with each such board as a percentage of the total number of persons subject to inspection under this~~]

~~chapter and RSA 318-B:25. The fees received from agreements under this section shall be deposited with the treasurer as restricted revenue by the pharmacy board, and shall be included in the computation of fees to be established for the following fiscal year].~~

157 New Paragraph; Approved Alcohol Treatment Programs. Amend RSA 172-B:2 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall establish, by rules adopted under RSA 541-A, a uniform, sliding-fee scale, based on the client's income, for voluntary services provided by approved alcohol treatment programs.

158 New Section; Access to Budget and Expenditures for Persons Receiving State Services. Amend RSA 126-A by inserting after section 5 the following new section:

126-A:5-a Access to Budget and Expenditures for Persons Receiving State Services. The commissioner of the department of health and human services and the area agencies shall provide to any person, or that person's guardian, who is receiving state services pursuant to a plan with an individualized budget, access to examine such budget and the expenditures made under such budget.

159 Department of Health and Human Services; Sununu Youth Services Center Report.

I. On or before January 1, 2014, the department of health and human services shall report its recommendations to the fiscal committee of the general court as to the most appropriate, cost effective, long and short-term uses of the Sununu Youth Services Center. The department's assessment shall include an analysis of:

- (a) The advantages and disadvantages of the current use of the facility;
- (b) Potential alternative uses for the facility;
- (c) The viability of using another facility to provide secure detention/committed services given the declining census at the center; and
- (d) Ways that the current costs to run the facility could be reduced.

II. In conducting its assessment, the department shall consult with the community, child welfare, court, and juvenile justice stakeholders to solicit their input as to the most appropriate and fiscally responsible options for addressing the needs of committed and detained youth.

160 Use of Surplus General Funds to Mitigate Certain Spending Reductions.

I. Notwithstanding the provisions of RSA 9:13-e, at the close of the fiscal year ending June 30, 2013 and the fiscal year ending June 30, 2014, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be used to fund the programs in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

II. In the event of a general fund operating budget surplus, the comptroller shall notify the fiscal committee of the general court and the governor by January 30 requesting that such surplus, to the extent available, be appropriated to the programs listed in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

III.(a) Any surplus determined under paragraphs I and II shall be used to fund the programs listed in the following order of priority:

	<u>FY 2014</u>	<u>FY 2015</u>
(1) Uncompensated Care	\$6,400,000	\$26,500,000
(2) Building Aid	\$0	\$7,200,000
(3) University System of New Hampshire	\$6,000,000	\$6,000,000
(4) Chartered Public Schools	\$1,012,550	\$1,446,500

(b) The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

(c) In the event that surplus general funds are sufficient to fund school building aid in fiscal year 2015 in subparagraph III(a)(2), the provisions of section 3 of this act shall not apply to fiscal year 2015.

(d) Funding authorized for chartered public schools in subparagraph III(a)(4) shall be in addition to any other funding authorized and in excess of any limitations on funding established for the biennium in this act. If surplus general funds determined in paragraphs I and II are sufficient to fund chartered public schools in subparagraph III(a)(4), the provisions of section 152 of this act shall be null and void.

IV.(a) Any funds remaining from the fiscal year 2013 surplus after the appropriations in paragraphs I and II shall be deposited in the revenue stabilization reserve account.

(b) Any funds remaining from the fiscal year 2014 surplus after the appropriations in paragraphs I and II shall remain in the general fund.

161 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited in the New Hampshire state and municipal road and bridge account established under RSA 260:32-a.

162 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows:

260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. ***The road toll on gasoline shall increase to \$.22 per gallon beginning July 1, 2013; to \$.26 per gallon beginning July 1, 2014; and to \$.30***

per gallon beginning July 1, 2015. The road toll on special fuel (diesel) shall increase to \$.20 per gallon on July 1, 2013; to \$.22 per gallon on July 1, 2014; to \$.24 per gallon on July 1, 2015; to \$.26 per gallon on July 1, 2016; to \$.28 per gallon on July 1, 2017; and to \$.30 per gallon on July 1, 2018. The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. ***All amounts collected in excess of \$.18 per gallon shall be deposited on a monthly basis into the New Hampshire state and municipal road and bridge account established in RSA 260:32-a.*** Provided, that the road toll shall not apply to:

163 New Section; Account Established. Amend RSA 260 by inserting after section 32 the following new section:

260:32-a Account Established. There is hereby established a separate account in the highway fund called the New Hampshire state and municipal road and bridge account. The account is to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges, including weight-restricted bridges and unnumbered roads owned by the state, to improve safe travel for motorists, create jobs, and promote commerce, tourism, and economic growth in the state. The account shall consist of the funds attributable to all road toll revenue collected in excess of \$.18 per gallon, net of any block grant aid apportionment pursuant to RSA 235:23, I. The amount deposited into the New Hampshire road and bridge account is hereby exclusively and continually appropriated to the department of transportation and shall be nonlapsing.

164 Block Grant Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 [%] ***percent*** of the ***estimated*** total road toll revenue and motor vehicle fees ***to be*** collected ~~[in the preceding]~~ ***during the*** fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. ***Since the payment is based upon estimated revenues to be received during the fiscal year, the following year's payment shall be adjusted for any overpayment or underpayment during the prior year based upon the actual audited total road toll revenues and motor vehicle fees collected.*** The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.

165 New Section; State Bridge Aid; State Highway Aid. Amend RSA 234 by inserting after section 4 the following new section:

234:4-a State Bridge Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state bridge aid shall be no less than \$13,600,000 per year.

166 New Section; Federal and State Highway Aid; State Highway Aid. Amend RSA 235 by inserting after section 15 the following new section:

235:15-a State Highway Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state highway aid shall be no less than \$3,400,000 per year.

167 Road Toll; Exception. Amend RSA 260:60 to read as follows:

260:60 Exception.

I. Notwithstanding all other laws and rules to the contrary, annually, on or before June 1, the road toll administrator shall compare the number of gallons on which refunds have been made for the preceding calendar year for motor fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such motor fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, based on the number of boats registered in the state at 100 gallons usage per boat, and if there is any balance of unrefunded tolls so collected, the administrator shall report the same to the comptroller who shall, on July 1, next following, ***except as provided in paragraph II***, credit 1/2 of said balance to the general fund and credit 1/2 of said balance to the fish and game department. The funds credited to the fish and game department shall be used by said department to carry out its program and be accounted for as the fish and game fund is accounted for. Any funds credited to the fish and game department as above provided shall not lapse at the end of the fiscal year. The department shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

II. Unrefunded tolls under paragraph I that resulted from any increase in the road toll over \$.18 per gallon shall be credited to the highway and bridge betterment account established in RSA 235:23-a.

168 Road Tolls; Credit Provided; Liability Insurance. Amend RSA 260:61, I to read as follows:

I. Annually, on or before June 30, the comptroller shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs and snowmobiles for the previous year times the average number of gallons consumed per year per OHRV and snowmobile times the gasoline road toll imposed under RSA 260:32, less any

amount refunded for OHRV and snowmobile use for the previous year, to the fish and game department and the bureau of trails as follows. The road toll administrator shall report to the comptroller if there is a balance of unrefunded road tolls collected. The administrator shall certify the amount to the comptroller who shall credit 1/2 of such balance to the bureau of trails for use as provided in paragraph I-a, and 1/2 of such balance to the fish and game department, ***except that unrefunded tolls that resulted from any increase in the road toll over \$.18 per gallon shall be credited to the highway and bridge betterment account established in RSA 235:23-a.*** For the purposes of this section, “the average number of gallons consumed per year per OHRV or snowmobile” is 100.

169 New Subdivision; Commission to Study Revenue Alternatives to the Road Toll. Amend RSA 21-J by inserting after section 47 the following new subdivision:

Commission to Study Revenue Alternatives to the Road Toll

21-J:48 Commission to Study Revenue Alternatives to the Road Toll.

I. There is established a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges.

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

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

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

(3) The commissioner of the department of revenue administration, or designee.

(4) The commissioner of the department of safety, or designee.

(5) The commissioner of the department of environmental services, or designee.

(6) The commissioner of the department of transportation, or designee.

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

III. The commission shall study alternatives to the gas tax, through user taxes or fees, for funding improvements to the state's highways and bridges, ensuring that all motor vehicles contribute their fair share. The committee shall consider the interim report of the commission on the taxation of alternative fuel and electric-powered motor vehicles of November 1, 2012, track the programs developed in other states, and recommend legislation when an appropriate alternative is defined.

IV. 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 constitute a quorum.

V. The commission shall submit annual reports of its findings and any 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 of each year.

170 Effective Date.

I. Sections 31, 36, 132, 150, and 169 of this act shall take effect upon its passage.

II. Sections 34, 37, 39, 93, 100, 130, 135, 151, and 160 of this act shall take effect June 30, 2013.

III. Section 22 of this act shall take effect January 1, 2014.

IV. Section 38 of this act shall take effect November 15, 2013.

V. Sections 73-82 of this act shall take effect 60 days after its passage.

VI. Sections 114 and 125 of this act shall take effect August 1, 2013.

VII. Sections 115-119, 121, 123, and 124 of this act shall take effect February 1, 2014.

VIII. Section 120 of this act shall take effect June 30, 2019.

IX. Sections 29 and 30 of this act shall take effect as provided in section 31 of this act.

X. The remainder of this act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill:

1. Funds meals and rooms distributions to cities and towns for the biennium ending June 30, 2014 at no more than the fiscal year 2013 level of distribution.

2. Suspends RSA 31-A, relating to revenue sharing with cities and towns for the biennium ending June 30, 2015.

3. Provides that no school building aid or alternative school building aid grants shall be made to school districts for projects approved on or after June 30, 2013 through June 30, 2015, and provides a waiver of the suspension of school building aid.

4. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to suspend direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2015.

5. Authorizes the commissioner of the department of health and human services to fill unfunded positions during the biennium ending June 30, 2015 under certain circumstances.

6. Authorizes the commissioner of the department of health and human services to submit a Medicaid plan amendment for suspension of catastrophic aid payment to hospitals.

7. Provides that the department of health and human services shall not change program eligibility standards without fiscal committee approval unless such changes are required by federal law and allows the department to transfer funds within and among accounting units.

8. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2015.

9. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January of the biennium, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.

10. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program.

11. Directs the department of health and human services to administer its adoption assistance program consistent with federal law and the state's Title IV-E plan.

12. Authorizes any state agency or department to enter into agreements to lease-purchase vehicles and equipment from outside vendors and to lease vehicles and equipment from other state agencies or departments.

13. Appropriates federal emergency assistance grants to the department of transportation.

14. Suspends bumping rights.

15. Authorizes the lottery commission to use monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance.

16. Suspends the deposit of liquor revenues in the alcohol abuse prevention and treatment fund for the biennium ending June 30, 2015.

17. Suspends the allocation of gross appropriations from the highway fund.

18. Transfers an appropriation received by the governor's commission on disability.

19. Establishes hiring priority for laid off classified state employees.

20. Limits the number of judicial appointments and establishes certain requirements for conversion of a marital master position to a judge position.

21. Changes the fees for obtaining an individual saltwater fishing license.

22. Suspends certain provisions regarding funeral expenses for recipients of public assistance.

23. Authorizes transfers of funds by the department of resources and economic development for welcome centers.

24. Extends a date for business profits tax net operating loss carryovers.

25. Revises requirements for MMIS reports.

26. Authorizes transfers from the revenue stabilization account in the event of a deficit.

27. Establishes the position of manager of risks and benefits in the department of administrative services.

28. Authorizes the department of administrative services to consolidate human resource, payroll, and business processing functions across state agencies as a means of achieving greater efficiencies and cost-savings.

29. Prevents the anticipated lapse of a prior appropriation to the department of administrative services to hire an independent business processing consultant.

30. Authorizes the department of administrative services to transfer funds within accounting units of the department.

31. Directs the department of administrative services to develop a cost containment plan for the New Hampshire retiree health care program.

32. Establishes a commission to study cost containment options relative to the retiree health plan for new employees.

33. Prevents the anticipated lapse of a prior appropriation to the department of administrative services for costs associated with the sale of the Laconia state school and training center property.

34. Establishes an office of innovation and efficiency and the unclassified position of director of innovation and efficiency within the department of administrative services.

35. Eliminates the impaired driver education program (IDEP) and impaired driver care management program (IDCMP) account and the alcoholism and alcohol abuse account.

36. Establishes priority for reimbursement from a decedent's estate to the department of health and human services for financial and/or medical assistance provided to the decedent.

37. Clarifies the duties of the office of reimbursements and allows the department of health and human services to collect certain information relative to persons filing financial statements.

38. Exempts the department of health and human services from the bond requirement when administering an estate.

39. Requires that for the biennium ending June 30, 2015, the department of health and human services shall maintain a limit on benefits for adults with low service utilization of community mental health services, as identified in He-M 401.07.

40. Provides that the rate for services, placements, and programs paid for by the department of health and human services for delinquent children, child protection act, and children in need of services shall be not

greater than the rates in effect on June 30, 2013; provided that upon the implementation of managed care, the rate of reimbursement shall be agreed upon by the provider and the managed care organization.

41. Repeals the law relative to Medicaid reimbursements.

42. Clarifies the purposes for which the uncompensated care fund may be used.

43. Repeals the requirement that the commissioner of the department of health and human services make a report relative to payment methodology under the uncompensated care program.

44. Establishes that, for the biennium ending June 30, 2015, a portion of the nursing facility assessment and intermediate care facility assessment shall be used for purposes of long-term care services provided by the state.

45. Suspends congregate housing and congregate services.

46. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to seek federal approval for assistance to newly eligible populations, and allows the state of New Hampshire to opt out of Medicaid expansion at any time.

47. Suspends the Medicaid breast and cervical cancer program conditioned upon implementation of the Medicaid expansion group.

48. Repeals a law relative to certification of shelter beds.

49. Provides that certain home care providers do not have to get a new license if they change the physical location of their office within the licensure period, and decreases the personal care provider license fee under RSA 151.

50. Establishes a Medicaid enhancement tax commission.

51. Authorizes the department of corrections to fill unfunded positions within a total expenditure cap, transfer funds within and among all accounting units within the department, and request, for the biennium ending June 30, 2015, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding for overtime.

52. Restores state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

53. Replaces the members of the liquor commission with a single liquor commissioner and a deputy commissioner.

54. Limits department of education expenditures for chartered public schools to 100 percent of budgeted amounts, and requires the state board of education to approve chartered public school applications involving changes in enrollment and review whether a proposed chartered public school will serve a geographic or programmatic need in the state.

55. Specifies expenditure amounts for chartered public schools for the biennium ending June 30, 2015.

56. Establishes a community college system retiree health benefit fund.

57. Establishes a needs-based scholarship program.

58. Repeals the education tax credit against the business profits tax and the business enterprise tax.

59. Authorizes the commissioner of the department of safety, with prior approval of the fiscal committee of the general court, to transfer additional funds over budget estimates from the fire standards and training and emergency medical services fund, if necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the division of homeland security and emergency management.

60. Requires a portion of the recording surcharge collected by the register of deeds for the fiscal years ending June 30, 2014 and June 30, 2015 to be deposited in the general fund with the balance deposited in the land and community heritage investment program trust fund.

61. Requires funding for the Green Launching Pad at the university of New Hampshire from the renewable energy fund.

62. Extends the effective date for changes enacted in 2012 to the threshold amounts for taxation under the business enterprise tax.

63. Increases the rate of the tobacco tax.

64. Clarifies the calculation of meals and rooms tax revenue credited to the division of travel and tourism development.

65. Extends the effective date for changes enacted in 2011 to the carry forward period for the business enterprise tax credit against the business profits tax.

66. Authorizes the acting director of the division of forests and lands to continue as a group II member in the retirement system if appointed as director of the division of forests and lands, provided such person meets the qualifications.

67. Reduces the amount that may be deposited in certain funds before the excess is deposited in the fish and game fund.

68. Repeals certain provisions relating to lifetime licenses.

69. Permits utilization of certain funds to support fish and game staff costs.

70. Establishes divisions within the fish and game department.
71. Permits moneys collected from hatchery vending machines to be used for additional purchases.
72. Extends the period during which no new certificates of need shall be granted for any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility.
73. Changes the membership of the health services planning and review board and requires the board to establish a state health plan; clarifies standard development under the certificate of need law; requires certain periodic reports; and extends the moratorium on nursing home beds and rehabilitation beds for 3 years until June 30, 2017.
74. Requires the department of resources and economic development to deposit revenue derived from Cannon Mountain in the state park fund until June 30, 2015.
75. Increases the amount to be distributed to colleges and universities under the UNIQUE endowment allocation program.
76. Establishes the position of deputy commissioner of employment security as an unclassified position requiring appointment by the governor and council.
77. Requires the governor to identify an amount of dedicated funds for transfer to the general fund, sufficient to cover the budget shortfall.
78. Allows the commissioner of the department of transportation to transfer funds within accounting units of the department.
79. Establishes a commission to study opportunities and options to improve the sustainability of the fish and game department.
80. Requires the bank commissioner to assess institutions for any deficiency between fees collected and department expenditures for the fiscal year.
81. Repeals a prospective repeal of RSA 122:4, relative to reimbursements to cities and towns.
82. Establishes the position of state records manager.
83. Exempts the judicial branch of certain requirements for transferring funds within the judicial branch appropriations.
84. Requires the attorney general to submit to the fiscal committee of the general court reports detailing all legal settlements awarded to the state.
85. Allows a person concurrently holding the offices of both town clerk and tax collector to elect to be a member in the retirement system.
86. Requires the department of revenue administration to compile data and issue a report to the house finance committee on the use and cost allocation of the Mosaic Parcel GIS system.
87. Requires the liquor commission to reimburse the department of justice for certain legal costs.
88. Requires the department of environmental services to discontinue the first in, first out delayed and deferred infrastructure project list for state aid grants for the biennium ending June 30, 2015 and identifies those infrastructure projects that are on the list and eligible for payments.
89. Establishes a committee to study funding of state aid grants by the department of environmental services.
90. Requires the adjutant general to expend funds for the biennium ending June 30, 2015 for the New Hampshire national guard recruitment and retention scholarship fund.
91. Amends the procedure for the transfer of unexpended and unencumbered appropriations from the special legislative subaccounts.
92. Prohibits the secretary of state from using Help America Vote Act funds or any other state funds to buy cameras or other equipment associated with implementation of voter identification laws.
93. Permits the governor and council to authorize the transfer of certain funds from the general fund to the department of safety to provide required state hard match for federal individual assistance.
94. Repeals a provision relative to the submission of the McAuliffe-Shepard discovery center commission business plan to the fiscal committee of the general court.
95. Extends an appropriation to establish a North Country fire training facility.
96. Provides that no new chartered public school shall be approved by the state board of education between July 1, 2013 and June 30, 2015.
97. Provides that the department of safety credit as agency income of motor vehicle fines shall not lapse until the second year of each biennium.
98. Requires the board of trustees of the university system of New Hampshire to provide a report, in each year of the biennium ending June 30, 2015, detailing the distribution of academic scholarships awarded to full-time in-state students.
99. Increases the marriage license fee by \$5 with the additional amount funding the domestic violence program.
100. Requires the pharmacy board to provide inspectional services to certain boards without assessing a fee.
101. Requires the department of health and human services to establish a uniform, sliding-fee scale for voluntary services provided by approved alcohol treatment programs.

102. Requires the commissioner of the department of health and human services and area agencies to provide to any person, or that person's guardian, who is receiving state services pursuant to a plan with an individualized budget, access to examine such budget and the expenditures made under such budget.

103. Requires the department of health and human services to make a report to the fiscal committee on potential uses of the Sununu Youth Services Center.

104. Allows the use of surplus funds otherwise designated for the revenue stabilization fund and surplus funds from the general fund in fiscal years 2013 and 2014 to be used for certain programs in priority order for the biennium ending June 30, 2015.

105. Establishes the New Hampshire state and municipal road and bridge account.

106. Increases the road toll for gasoline and diesel fuel.

107. Provides for adjustment in payments by the department of transportation to municipalities for highway construction and reconstruction aid when such payments are based on estimated revenue.

108. Credits the revenue from certain unrefunded tolls resulting from the increase in the road toll to the highway and bridge betterment account.

109. Establishes a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges.

**Floor Amendment to HB 2-FN-A-LOCAL
(2013-1163h)**

Proposed by Rep. L. Ober

Amend the bill by replacing section 160 with the following:

160 Use of Surplus General Funds to Mitigate Certain Spending Reductions.

I. Notwithstanding the provisions of RSA 9:13-e, at the close of the fiscal year ending June 30, 2013 and the fiscal year ending June 30, 2014, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be used to fund the programs in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

II. In the event of a general fund operating budget surplus, the comptroller shall notify the fiscal committee of the general court and the governor by January 30 requesting that such surplus, to the extent available, be appropriated to the programs listed in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

III.(a) Any surplus determined under paragraphs I and II shall be used to fund the programs listed in the following order of priority:

	<u>FY 2014</u>	<u>FY 2015</u>
(1) Building Aid	\$0	\$7,200,000
(2) Uncompensated Care	\$6,400,000	\$26,500,000
(3) University System of New Hampshire	\$6,000,000	\$6,000,000
(4) Chartered Public Schools	\$1,012,550	\$1,446,500

(b) The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

(c) In the event that surplus general funds are sufficient to fund school building aid in fiscal year 2015 in subparagraph III(a)(1), the provisions of section 3 of this act shall not apply to fiscal year 2015.

(d) Funding authorized for chartered public schools in subparagraph III(a)(4) shall be in addition to any other funding authorized and in excess of any limitations on funding established for the biennium in this act. If surplus general funds determined in paragraphs I and II are sufficient to fund chartered public schools in paragraph III(a)(4), the provisions of section 152 of this act shall be null and void.

IV.(a) Any funds remaining from the fiscal year 2013 surplus after the appropriations in paragraphs I and II shall be deposited in the revenue stabilization reserve account.

(b) Any funds remaining from the fiscal year 2014 surplus after the appropriations in paragraphs I and II shall remain in the general fund.

**Amendment to HB 25-FN-A
(2013-1150h)**

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. Unspecified Minor Military Construction	\$5,500,000
Less Federal	<u>-5,500,000</u>
Net state appropriation subparagraph A	0
B. Land For Manchester Field Maintenance Shop	1,000,000

C. Statewide Readiness Center Restoration and Modernization	1,750,000
Less Federal	<u>-875,000</u>
Net state appropriation subparagraph C	875,000
D. Federal Property Conv to Readiness Cntr and Maint. Shop	1,000,000
Less Federal	<u>-750,000</u>
Net state appropriation subparagraph D	250,000
E. Manchester Field Maintenance Shop Design	2,500,000
Less Federal	<u>-2,500,000</u>
Net state appropriation subparagraph E	0
F. Columbarium Expansion	675,000
Less Federal	<u>-675,000</u>
Net state appropriation subparagraph F	<u>0</u>
Total state appropriation paragraph I	\$2,125,000
II. Department of Administrative Services	
A. Statewide Projects	
1. Emergency Repairs-All State Owned Facilities	\$500,000
2. Statewide Energy Efficiency Improvements	500,000
B. General Services	
1. Records and Archives-New Roof	480,000
2. DHHS HVAC Repairs	775,000
3. Morton Building Cooling Tower	217,000
4. State House Dome Repair	472,445
5. Health and Human Services Vault Upgrade	145,000
6. House of Representatives Voting System Software-LED Summary Displays	560,000
7. State House Annex – Replace Roof	450,000
8. Facilities Condition Analysis	400,000
9. Legislative Office Building Elevator Upgrade	330,000
C. Facilities and Asset Management	
1. Dolloff Domestic Water Main Replacement	260,000
2. Driveway/Parking and Walkway Paving Phase 3	790,000
3. Main Building Asbestos Abatement/Lead Paint Control	630,000
4. Main Building Window Replacement Phase 1	450,000
D. Court Facilities	
1. Coos County Courthouse-Bullnose Repairs	240,000
2. Concord District Courthouse-New Roof	245,000
3. Rockingham County Superior Court – Replace Roof	551,250
4. Rockingham County Superior Court – Replace Cooling Tower	217,000
5. Lebanon District Court – Replace Roof	<u>142,000</u>
Total state appropriation paragraph II	\$8,354,695
III. Department of Agriculture, Markets and Food	
A. New Hampshire Building-Eastern States Expo-Roof Replacement	<u>\$235,000</u>
Total state appropriation paragraph III	\$235,000
IV. Department of Corrections	
A. 224 Bed Women's Prison and Transitional Housing Facility*	\$38,000,000
B. Remove and Replace 2, 20,000 Gallon Oil Tanks and one 5,000 Gallon Diesel Tank	130,000
C. Electronic Medical Records System	<u>500,000</u>
Total state appropriation paragraph IV	\$38,630,000
* The project in subparagraph A shall utilize the construction management method of contracting. The design for the project shall be submitted no later than April 1, 2014 to the capital budget overview committee for approval and shall include sufficient acreage for possible expansion to 350 beds for future needs. The primary location for the siting of the facility shall be in Concord on state lands adjacent to the men's prison. If an alternative location is deemed necessary, the siting for the facility shall be subject to prior approval of the capital budget overview committee. The department shall report quarterly to the capital budget overview committee on the status of the project.	
V. Department of Education	
A. Renovation of CTE Center-Whitefield- State Share*	\$13,500,000
B. Renovation of CTE Center-Salem- State Share *	<u>10,775,000</u>
Total state appropriation paragraph V	\$24,275,000

* The funds appropriated to the department of education in subparagraphs A and B for CTE centers in Whitefield and Salem shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.

VI. Department of Environmental Services

A. Dam Repairs and Reconstruction	\$ 3,115,000
B. Drinking Water SRF Matching Funds	3,487,988
C. Clean Water SRF Matching Funds	1,970,352
Less Other Funds *	<u>-1,970,352</u>
Net state appropriation subparagraph C	0
D. Flood Warning and Operations Improvements	<u>225,000</u>
Total state appropriation paragraph VI	\$6,827,988

* To provide funds for the appropriation made in subparagraphs VI, C, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,970,352 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 pursuant to subparagraph VI, C shall be made from the state water pollution control and drinking water revolving loan funds established in RSA 486:14.

VII. Department of Health and Human Services

A. Glenciff Fire and ADA Code Compliance	470,000
B. APS Security and Safety Upgrades	500,000
C. Glenciff Residential Building Security	225,000
D. Glenciff Hydro Dam Repair	655,000
E. New Heights Incremental Modernization	16,843,842
Less Federal	<u>-11,959,128</u>
Net state appropriation subparagraph E	4,884,714
F. Child Support Systems Maintenance and Enhancement	5,550,000
Less Federal	<u>-3,663,000</u>
Net state appropriation subparagraph F	1,887,000
G. Food Protection Data System	280,000
Less Other Funds *	<u>-210,000</u>
Net state appropriation subparagraph G	70,000
H. Psychiatric Crisis Beds	2,150,000
I. Bridges Modernization Project	1,000,000
Less Federal	<u>-500,000</u>
Net state appropriation subparagraph I	<u>500,000</u>
Total state appropriation paragraph VII	\$11,341,714

* To provide funds for the appropriation made in subparagraph VII, G, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$210,000 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 pursuant to subparagraph VII, G shall be made from the public health services special fund under RSA 143:11.

VIII. Department of Information Technology

A. Business One Stop	\$2,000,000
B. Enterprise Licensing Solution	2,295,000
C. Network Access Control	<u>560,000</u>
Total state appropriation paragraph VIII	\$4,855,000

IX. Judicial Branch

A. E-Court Initiative	\$3,500,000
B. Furnishings and Security Equipment-Cheshire County Courthouse	<u>200,000</u>
Total state appropriation paragraph IX	\$3,700,000

X. Department of Justice

A. Installation of Video Conferencing Hardware	\$62,000
B. ProLaw Upgrade	497,010
Less Other Funds *	<u>-27,187</u>
Net state appropriation subparagraph B	<u>469,823</u>
Total state appropriation paragraph X	\$531,823

* To provide funds for the appropriation made in subparagraphs X, B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$27,187 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 pursuant to subparagraph X, B shall be made from agency income.

XI. Liquor Commission	
A. New Salem Retail Store	\$5,400,000
Less Other Funds *	<u>-5,400,000</u>
Net state appropriation subparagraph A	0
B. Hampton North and South Renovations	6,380,000
Less Other Funds *	<u>-6,380,000</u>
Net state appropriation subparagraph B	0
C. New Epping Retail Store	3,850,000
Less Other Funds *	<u>-3,850,000</u>
Net state appropriation subparagraph C	0
D. New Warner Retail Store	3,500,000
Less Other Funds *	<u>-3,500,000</u>
Net state appropriation subparagraph D	0
E. Renovate Space from Retail to Office	780,000
Less Other Funds *	<u>-780,000</u>
Net state appropriation subparagraph E	0
F. Nashua Retail Store – Parking Lot	80,000
Less Other Funds*	<u>-80,000</u>
Net state appropriation subparagraph F	<u>0</u>
Total state appropriation paragraph XI	\$0

* To provide funds for the appropriations made in paragraph XI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$19,990,000 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 liquor commission fund established in RSA 176:16.

XII. Department of Resources and Economic Development	
A. State Parks Improvements	\$1,200,000
B. Roofing and Repair-State Parks	1,255,000
C. Sherman Adams Building Entrance Replacement	375,000
D. Hampton North Beach Seawall Repair	1,000,000
Less Other Funds*	<u>-1,000,000</u>
Net state appropriation subparagraph D	0
E. Radio Systems	233,000
F. Fire Tower Repairs	360,000
G. Memorial, 400th Anniversary- Rye Harbor State Park**	<u>40,000</u>
Total state appropriation paragraph XII	\$3,463,000

* To provide funds for the appropriations made in subparagraph D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,000,000 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 special fund and the Hampton Beach capital improvements fund under RSA 216:3.

** The state appropriation in subparagraph G shall be a state match against private funds raised, up to \$40,000, for the purpose of constructing the memorial commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith at Ragged Neck in Rye Harbor State Park.

XIII. Department of Safety	
A. Radio Interoperability Infrastructure	
Upgrade – General Fund Portion	\$300,000
Total state appropriation paragraph XIII	\$300,000
XIV. Secretary of State	
A. Shelving Replacement and Fire Suppression	<u>\$675,000</u>
Total state appropriation paragraph XIV	\$675,000
XV. Department of Transportation	
A. Aeronautics, Rail and Transit	
1. 5 percent Match for Federal Aviation Admin Projects	\$24,972,073
Less Federal	<u>-23,307,397</u>
Net state appropriation subparagraph 1	1,664,676
2. Public Transit Bus and Facility Matching Funds	545,000
3. Freight Rail – State Matching Funds	<u>600,000</u>
Total state appropriation paragraph XV	\$2,809,676
XVI. Veterans Home	
A. Equipment Upgrades	\$1,650,000

Less Federal	<u>-1,072,500</u>
Net state appropriation subparagraph A	<u>577,500</u>
Total state appropriation paragraph XVI	<u>\$577,500</u>
XVII. Community College System of New Hampshire	
A. Lump Sum for Capital Projects	\$13,000,000
Less Other Funds *	<u>-5,000,000</u>
Net state appropriation subparagraph A	<u>8,000,000</u>
Totals for paragraph XVII	<u>\$8,000,000</u>
Total state appropriation section 1	\$116,701,396

* To provide funds for the appropriations made in subparagraph XVII, A the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$5,000,000 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 student fees.

2 Capital Appropriation; Highway Funds. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety	
A. Radio Interoperability Infrastructure	
Upgrade – Highway Fund Portion	\$1,700,000
B. Fire Academy Bldg Upgrades and Critical Maintenance	375,000
Less Other Funds *	<u>-375,000</u>
Net state appropriation subparagraph B	0
C. Land Acquisition and Improvement	1,000,000
Less Other Funds**	<u>-1,000,000</u>
Net state appropriation subparagraph D	0
D. NH Marine Patrol Headquarters	9,379,313
Less Other Funds **	<u>-9,379,313</u>
Net state appropriation subparagraph D	<u>0</u>
Total state appropriation paragraph I	\$1,700,000

* To provide funds for the appropriation made in subparagraph I, B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$375,000 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 pursuant to subparagraph I, B shall be made from the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

** To provide funds for the appropriations made in subparagraphs I, C and D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$10,379,313 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 pursuant to subparagraphs I, C and D shall be made from the navigation safety fund established under RSA 270-E:6-a.

II. Department of Transportation	
A. Underground Fuel Tank Replacement-Statewide	\$3,500,000
B. Project Development Computer Systems Replacement	3,260,000
C. JOMB Data Center HVAC and UPS Replacement	510,000
D. Welcome Information Center Critical and Deferred Maintenance	967,500
E. New Patrol Shed PS528 Derry, Design, Engineering, and Construction	3,180,000
F. New Patrol Shed PS602 Strafford, Design	<u>160,000</u>
Total state appropriation paragraph II	<u>\$11,577,500</u>
Total state appropriation section 2	\$13,277,500

3 Capital Appropriation; University System of New Hampshire. The sums hereinafter detailed are appropriated for the projects specified:

A. Lump Sum for Capital Projects	<u>\$7,500,000</u>
Total state appropriation section 3	<u>\$7,500,000</u>

4 Expenditures; General. The appropriation made for the purposes mentioned in sections 1 and 2 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 Expenditures; University System of New Hampshire.

I. The appropriations made for the purposes mentioned in section 3 of this act and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said buildings or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least

once in each 2 successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made in section 3 of this act are available for all costs incidental to the completion of the projects enumerated including the costs of the services of architects, engineers, and other consultants of such kind and capacity as the university system board of trustees, in its discretion, may wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder; or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

V. Notwithstanding paragraphs I, III, and IV, the sums appropriated by section 3 of this act for all or any of the projects listed in section 3 of this act, may be expended and awarded by the trustees of the university system; provided that all contracts for all or any part of the building or facilities shall follow construction management procurement procedures and guidelines. If the trustees select construction management pursuant to this paragraph, paragraphs I, III, and IV shall not apply and the trustees shall retain the right to reject or negotiate following accepted construction management practices.

6 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 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 the department of transportation or the commissioner of administrative services, as appropriate, with the approval of governor and council.

7 Bond 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 \$176,430,748 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. The source of funds shall be as follows: general fund \$124,201,396, highway funds \$13,277,500, and other funds \$38,951,852.

8 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 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.

9 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 and 2 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 7 of this act shall be reduced by the same amount.

10 Transfers. The individual project appropriations provided in sections 1 and 2 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.

11 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 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 7 of this act shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

12 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. 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 and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act.

13 Project Purpose Amended; Adjutant General; 2009 Capital Budget. Amend 2009, 145:1, I, B to read as follows:

B. D&E Storage Buildings- Additional Power & Lighting; <i>Power and Lighting Improvements – Statewide</i>	282,000
Less Federal	<u>-141,000</u>
Net state appropriation subparagraph B	141,000

14 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, C, 3 to read as follows:

3. Main Building <i>Kitchen, Bakery [Roof Repair], Connector, and Industrial Shop - Raze Buildings and Create Parking Lot</i>	210,000
--	---------

15 Project Purpose Amended; Administrative Services; 2011 Capital Budget. Amend 2011, 253:1, II, B, 4 to read as follows:

4. Main Building Kitchen [Roof Repair], <i>Bakery, Connector, and Industrial Shop - Raze Buildings and Create Parking Lot</i>	500,000
--	---------

16 Project Purpose Amended, Department of Safety, 2011 Capital Budget. Amend 2011, 253:2, II, A to read as follows:

A. Standby Generator Replacement Hayes Bldg (33 Hazen Dr.), <i>Computer Room A/C Upgrade, and DMV HQ Generator</i>	\$775,000
---	-----------

17 Project Purpose Amended; Administrative Services; 2011 Capital Budget. Amend 2011, 253:1, II, B, 2 to read as follows:

2. Lakes Region Facility Campus Site Environmental Survey II, <i>and DOIT Productivity Suite Desktop Security *</i>	300,000
--	---------

18 Project Purpose Amended; Administrative Services; Former Corrections Project; 2009 Capital Budget. Amend 2009, 145:1, IV, F, as amended by 2011, 253:14, to read as follows:

F. Stormwater/Sewer System-EPA order #05-13, <i>and DOIT Productivity Suite Desktop Security</i>	575,000
---	---------

19 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:15, II(b) to read as follows:

(b) Northern Carroll County New Roof, <i>and DOIT Productivity Suite Desktop Security</i>	\$130,000
--	-----------

20 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, B, 1 through 5 to read as follows:

1. Johnson Hall Renovations/Repairs, <i>and DOIT Productivity Suite Desktop Security</i>	53,000
2. LOB Critical Maintenance, <i>and DOIT Productivity Suite Desktop Security</i>	2,900,000
3. DHHS Replace Chillers, Tower Repairs	780,000
4. Johnson Hall New Roof, <i>and DOIT Productivity Suite Desktop Security</i>	198,000
5. State Library-Repaint Brick, Internal Repairs, <i>and DOIT Productivity Suite Desktop Security</i>	1,345,000

21 Project Purposes Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:16, II, (a) through (d) to read as follows:

(a) Supreme Court Parking Lot, <i>and DOIT Productivity Suite Desktop Security</i>	394,295
(b) Supreme Court ADA Access, <i>and DOIT Productivity Suite Desktop Security</i>	275,000
(c) Morton Building New Roof	650,000
(d) State House Ice Stop System, <i>and DOIT Productivity Suite Desktop Security</i>	80,000

22 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, C, 1 to read as follows:

1. Bow Brook Pond Dredging & Dam Stoplog, <i>and DOIT Productivity Suite Desktop Security</i>	1,100,000
--	-----------

23 Project Purpose Amended; Department of Corrections; 2009 Capital Budget. Amend 2009, 145:1, IV, C to E to read as follows:

C. Residential Treatment Unit Phase 2, *and DOIT Productivity Suite Desktop Security*

3,650,000

D. Admin East Wing-Upgrade Electric Wiring

79,000

E. MSU & Admin Bldg-Replace Sprinkler System, *and DOIT Productivity Suite Desktop Security*

390,000

24 Unencumbered Balances Transferred; Department of Information Technology; Productivity Suite Desktop Security Project Authorized.

I. The sum of \$3,000,000 from the unencumbered balances of the projects amended by sections 17 through 23 of this act are hereby transferred to the department of information technology for the purpose of funding the capital project of productivity suite desktop security.

II. All contracts and projects and plans and specifications therefor for the project authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

III. The appropriations in sections 17 through 23 of this act as amended and transferred in this section are hereby extended and shall not lapse until June 30, 2015.

25 Commission Established; Construction of 400th Anniversary Memorial at Ragged Neck in Rye Harbor State Park.

I. There is hereby established a commission to oversee the design, siting, and construction of a memorial commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith at Ragged Neck in Rye Harbor State Park, using the funds appropriated in section 1, paragraph XII, G of this act.

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

(a) Two members of the house of representatives, one from each major political party, appointed by the speaker of the house of representatives.

(b) Two members of the senate, one from each major political party appointed by the president of the senate.

(c) The commissioner of the department of resources and economic development, or designee.

(d) The commissioner of the department of cultural resources, or designee.

(e) One person 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 advise the department of resources and economic development, division of parks and recreation, on the design, siting, and construction of a monument at Ragged Neck in Rye Harbor State Park commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith. The commission shall approve the design and location of the memorial prior to construction. The commission shall also monitor the raising of private funds required for the state match to expend the state capital appropriation for the construction of the memorial.

V. 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. Four members of the commission shall constitute a quorum. The commission shall meet as necessary until completion of the project.

26 Lapse Dates Extended to June 30, 2015. The following appropriations are hereby extended to June 30, 2015:

1. The appropriation made to the adjutant general in 2011, 253:1, I, A for statewide facilities improvements.

2. The appropriation made to the adjutant general in 2011, 253:1, I, B for readiness center restoration and modernization.

3. The appropriation made to the adjutant general in 2009, 145:1, I, B extended by 2011, 253:28, 2, and amended by section 13 of this act, for D and E storage buildings, additional power and lighting; power and lighting improvements – statewide.

4. The appropriation made to the adjutant general in 2007, 264:1, I, B extended by 2009, 145:19, 5 extended by 2011, 253:28, 9 for armory-statewide auxiliary power.

5. The appropriation made to the adjutant general in 2007, 264:1, I, F extended by 2009, 145:19, 9 extended by 2011, 253:28, 11 for regional training institute construction.

6. The appropriation made to the department of administrative services in 2011, 253:1, II, A, 1 for Rockingham county reseal/drainage.

7. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 1 for Hugh Gallen OPS-FACP replacement.

8. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 3 for drive-way/parking and walkway paving phase 2.

9. The appropriation made to the department of administrative services 2011, 253:1, II, B, 4, as amended by section 15 of this act, for main building kitchen, bakery, connector, and industrial shop - raze buildings and create parking lot.

10. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 5 for lakes region facility roof repair.

11. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 6 for Hugh Gallen OPS main building ADA restrooms.

12. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 7 for Philbrook Center renovation.

13. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 for critical IT infrastructure.

14. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 for ERP phase 2 HR and payroll systems.

15. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 1 for emergency repairs-all facilities.

16. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 2 for statewide energy efficiency improvements.

17. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 5 for state house dome renovation and repair.

18. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 6 for DHHS window repairs.

19. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 7 for state house annex windows.

20. The appropriation made to the department of administrative services in 2011, 253:2, I, A for ERP phase II-highway funds.

21. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 1 extended by 2011, 253: 28, 12 for Hillsborough county north asbestos abatement.

22. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 2 extended by 2011, 253:28, 13 for master plan for the courts.

23. The appropriation made to the department of administrative services 2009, 145:1, II, C, 3, as extended by 2011, 253:28, 21, as amended by section 14 of this act, for main building bakery, kitchen, connector, and industrial shop - raze buildings and create parking lot.

24. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 4 extended by 2011, 253:28, 22 for Hugh Gallen office park parking.

25. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 1 extended by 2011, 253:28, 24 for state owned facilities energy and lighting improvements.

26. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 3 extended by 2011, 253:28, 25 for ERP information technology phase II.

27. The appropriation made to the department of administrative services in 2005, 259:1, II, A, 2 amended by 2007, 264:14 extended by 2007, 264:29, IX extended by 2009, 145:19, 12 extended by 2011, 253:28, 30 for Cheshire and Merrimack county courthouse design, Keene district court design and renovate temporary space.

28. The appropriation made to the department of administrative services in 2003, 240:1, II, C, 2 extended by 2005, 259:25, XVI extended by 2007, 264:29, XIX extended by 2009, 145:19, 13 extended by 2011, 253:28, 31 for enterprise resource planning.

29. The appropriation made to the community college system in 2011, 253:1, XVI, A for Manchester community college student center.

30. The appropriation made to the community college system in 2011, 253:1, XVI, B for career/tech building.

31. The appropriation made to the community college system in 2009, 145:1, III, A extended by 2011, 253:28, 34 for critical maintenance.

32. The appropriation made to the community college system in 2009, 145:1, III, E extended by 2011, 253:28, 35 for health science and tech building, Nashua.

33. The appropriation made to the department of corrections in 2009, 145:1, IV, A extended by 2011, 253:28, 36 for women's prison and transitional housing site/design.

34. The appropriation made to the department of corrections in 2009, 145:1, IV, B extended by 2011, 253:28, 37 for MSU dorms, CCU, SPU, MCS, MCN bathroom repair.

35. The appropriation made to the department of corrections in 2009, 145:1, IV, D extended by 2011, 253:28, 39 for admin east wing-upgrade electric wiring.

36. The appropriation made to the department of corrections in 2007, 264:1, V, A extended by 2009, 145:19, 23 extended by 2011, 253:28, 43 for electronic security upgrades-men's prison.

37. The appropriation made to the department of education in 2011, 253:1, IV, A for pre-engineering tech career pathway.

38. The appropriation made to the department of education in 2011, 253:1, IV, B for CTE center renovation-Pinkerton.

39. The appropriation made to the department of education in 2011, 253:1, IV, C for CTE center renovation-Laconia.

40. The appropriation made to the department of education in 2009, 145:1, V, A extended by 2011, 253:28, 46 for pre-engineering technology.

41. The appropriation made to the department of employment security in 2011, 253:1, V, A for Tobey building renovation and garage construction.

42. The appropriation made to the department of environmental services in 2011, 253:1, VI, A for clean water state revolving fund loan program.

43. The appropriation made to the department of environmental services in 2011, 253:1, VI, B for drinking water state revolving fund state match.

44. The appropriation made to the department of environmental services in 2011, 253:1, VI, C for dam repairs and reconstruction.

45. The appropriation made to the department of environmental services in 2011, 253:1, VI, D for Great Bay oil spill protection strategy.

46. The appropriation made to the department of environmental services in 2011, 253:1, VI, E for WRBP infrastructure capital improvements.

47. The appropriation made to the department of environmental services in 2011, 253:1, VI, F for Suncook river infrastructure protection project.

48. The appropriation made to the department of environmental services in 2009, 145:1, VI, A extended by 2011, 253:28, 50 for WRBP wastewater treatment plant improvements.

49. The appropriation made to the department of environmental services in 2009, 145:1, VI, B extended by 2011, 253:28, 51 for drinking water state revolving fund matching funds.

50. The appropriation made to the department of environmental services in 2007, 264:1, VII, A extended by 2009, 145:19, 38 extended by 2011, 253:28, 58 for drinking water state revolving fund matching funds.

51. The appropriation made to the department of environmental services in 2007, 264:1, VII, B extended by 2009, 145:19, 39 extended by 2011, 253:28, 59 for wastewater state revolving fund matching funds.

52. The appropriation made to the department of environmental services in 2007, 264:1, VII, F, as extended by 2009, 145:19, 43, and 2011, 253:28, 61 for dam repairs, removal and reconstruction.

53. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 for hazardous waste superfund match.

54. The appropriation made to the department of fish and game in 2011, 253:1, XVII, A for Jones pond dam repair and reconstruction.

55. The appropriation made to the department of fish and game in 2009, 145:3, III extended by 2011, 253:28, 63 for point of service registration.

56. The appropriation made to the department of fish and game in 2005, 259:3, II extended by 2007, 264:29, XLVI extended by 2009, 145:19, 45 extended by 2011, 253:28, 64 for hatchery system modernization.

57. The appropriation made to the department of health and human services in 2011, 253:1, VII, A for fire protection sprinklers.

58. The appropriation made to the department of health and human services in 2011, 253:1, VII, B for admin building fire safety/ADA compliance.

59. The appropriation made to the department of health and human services in 2011, 253:1, VII, D for APS repair/renovations-roof, windows and curtain wall.

60. The appropriation made to the department of health and human services in 2011, 253:1, VII, E for boiler house building-new roof.

61. The appropriation made to the department of health and human services in 2011, 253:1, VII, G for incremental renewal of New Heights.

62. The appropriation made to the department of health and human services in 2011, 253:1, VII, H for electronic health records.

63. The appropriation made to the department of health and human services in 2011, 253:1, VII, I for regional assessments database II.

64. The appropriation made to the department of health and human services in 2011, 253:1, VII, J for video conferencing-administrative appeals unit.

65. The appropriation made to the department of health and human services in 2011, 253:1, VII, L for replatform option application.

66. The appropriation made to the department of health and human services in 2011, 253:1, VII, M for admin building handicap access and elevator.

67. The appropriation made to the department of health and human services in 2011, 253:1, VII, N for DPHS radiochemistry lab improvements.

68. The appropriation made to the department of health and human services in 2011, 253:1, VII, P for Howard rec. building renovations, roof and brickwork.

69. The appropriation made to the department of health and human services in 2011, 253:1, VII, Q for ACCESS front door release II.

70. The appropriation made to the department of health and human services in 2009, 145:1, VII, B extended by 2011, 253:28, 65 for incremental renewal of HEIGHTS phase II.

71. The appropriation made to the department of health and human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 for strategic plan for legacy systems, 50-50 federal match.

72. The appropriation made to the department of health and human services in 2007, 264:1, IX, C, as amended by 2009, 145:18, as extended by 2009, 145:19, 50, and 2011, 253:28, 69 for Glencliff-Brown building patient room floor abatement, tunnel repair, admin. building roof replacement.

73. The appropriation made to the department of information technology in 2011, 253:1, VIII, B for network operations infrastructure upgrade and VOIP.

74. The appropriation made to the department of information technology in 2011, 253:1, VIII, C for business one stop center.

75. The appropriation made to the judicial branch in 2011, 253:1, IX, A for prisoner video conference.

76. The appropriation made to the judicial branch in 2011, 253:1, IX, B for call center.

77. The appropriation made to the judicial branch in 2011, 253:1, IX, C for e-court initiative.

78. The appropriation made to the liquor commission in 2011, 253:1, X, A for Hooksett north and south store additions.

79. The appropriation made to the liquor commission in 2011, 253:1, X, C for Chesterfield-new store.

80. The appropriation made to the Pease development authority in 2007, 264:1, XII, B as amended by 2008, 5:1 extended by 2009, 145:19, 54 extended by 2011, 253:28, 74 for Rye harbor commercial fish pier.

81. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, A for fire tower maintenance.

82. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, B for state park repairs.

83. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, C for Mt. Washington-Adams building concrete repair.

84. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, F for Cannon Mtn upgrades-snowmaking.

85. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C extended by 2011, 253:28, 77 for Mittersill expansion.

86. The appropriation made to the department of resources and economic development in 2009, 145:1, X, B, as extended by 2011, 253:28, 76 for Mount Washington tip top house repairs.

87. The appropriation made to the department of revenue administration in 2009, 145:1, XI, A extended by 2011, 253:28, 82 for tax system 2010.

88. The appropriation made to the department of safety in 2011, 253:1, XIII, A for e-911 next generation.

89. The appropriation made to the department of safety in 2011, 253:1, XIII, B for Suncook river property acquisition and hazard mitigation.

90. The appropriation made to the department of safety in 2011, 253:2, II, A, as amended by section 16 of this act for Hayes building standby generator replacement, computer room A/C upgrade, and DMV HQ generator.

91. The appropriation made to the department of safety in 2009, 145:2, I, A extended by 2011, 253:28, 83 for DMV VISION project continuation.

92. The appropriation made to the department of safety in 2007, 264:2, I, D extended by 2009, 145:19, 63 extended by 2011, 253:28, 87 for OIT projects for DMV.

93. The appropriation made to the department of transportation in 2011, 253:1, XIV, A for 2.5 percent match for FAA projects.

94. The appropriation made to the department of transportation in 2011, 253:1, XIV, B for bus replacement-transit match.

95. The appropriation made to the department of transportation in 2011, 253:2, III, A for underground fuel tank replacement.

96. The appropriation made to the department of transportation in 2011, 253:2, III, B for statewide radio communication replacement.

97. The appropriation made to the department of transportation in 2011, 253:2, III, C for statewide salt sheds.

98. The appropriation made to the department of transportation in 2011, 253:2, III, D for new patrol shed and salt storage-Salem.

99. The appropriation made to the department of transportation in 2011, 253:2, III, E for data center TMC equipment room upgrade.

100. The appropriation made to the department of transportation in 2009, 145:1, XII, A extended by 2011, 253:28, 88 for FAA projects.

101. The appropriation made to the department of transportation in 2009, 145:1, XII, B extended by 2011, 253:28, 89 for public transit bus matching funds.

102. The appropriation made to the department of transportation in 2009, 145:1, XII, C extended by 2011, 253:28, 90 for airport navigation equipment.

103. The appropriation made to the department of transportation in 2009, 145:1, XII, E extended by 2011, 253:28, 92 for state owned rail bridge repair.

104. The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 2011, 253:28, 94 for replacement of automated fueling system-phase 2.

105. The appropriation made to the department of transportation in 2007, 264:1, XIV, A extended by 2009, 145:19, 65 extended by 2011, 253:28, 99 for 5-10 percent match for FAA projects.

106. The appropriation made to the department of transportation in 2007, 264:1, XIV, C extended by 2009, 145:19, 67 amended by 2011, 253:16 extended by 2011, 253:28, 100 for rail match.

107. The appropriation made to the department of transportation in 2007, 264:2, II, E extended by 2009, 145:19, 74 extended by 2011, 253:28, 102 for fuel center computer system.

108. The appropriation made to the department of transportation in 2007, 264:1, XIV, B extended by 2009, 145:19, 66 extended by 2011, 253:28, 103 for public transit bus replacement.

109. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 for railroad acquisition right of first refusal rail match.

110. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, extended by 2001, 202:28, XXXIII extended by 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 for acquisition for railroad and airport properties.

111. The appropriation made to the New Hampshire veterans' home in 2011, 253:1, XV, A for electronic medical records.

27 Effective Date.

I. Section 26 of this act shall take effect June 30, 2013.

II. The remainder of this act shall take effect July 1, 2013.