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HOUSE RECORD

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Calendar and Journal of the 2015 Session

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Friday, March 27, 2015

No. 25

Contains: Committee Reports, Amendments, House Deadlines, Bills Laid on Table,
Meetings and Notices, Opinion from House Counsel

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be Wednesday, April 1st, 2015, at 10:00 a.m.

As this could be a long session day, the cafeteria will remain open for the convenience of members. I anticipate that action on the budget bills can be completed on Wednesday, but if not, you should be prepared to meet on Thursday, April 2nd, as well.

With that in mind, please remember that the House Finance Committee will have a briefing on HB 1-A and HB 2-FN-A on Monday, March 30th, as noted below. The committee's presentation will be extremely beneficial to members prior to Wednesday's session.

At my request, House Legal Counsel Chuck Douglas has provided his thoughts on the matter regarding members' speech and discipline. Please take a few moments to review his letter, which has been included in this calendar.

Shawn N. Jasper, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on **Tuesday, March 31st, at 9:00 a.m.** in Rooms 305-307 of the Legislative Office Building.

Shawn N. Jasper, Speaker

NOTICE

There will be a Republican caucus on **Wednesday, April 1st** at 9:00 a.m. in Representatives Hall.

Rep. Jack Flanagan

NOTICE

There will be a Democratic caucus on **Wednesday, April 1st** at 9:00 a.m. in LOB 305-307.

Rep. Stephen Shurtleff

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, 2016 and June 30, 2017 and **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures in **Representatives Hall** on **Monday, March 30th from 10:00 a.m. to 12:00 p.m.**

Rep. Neal M. Kurk, Chairman
Finance Committee

Re: Power of the Chair to regulate speech

March 23, 2015

Dear Mr. Speaker:

You have asked me to outline the power of the Chair to regulate the decorum and speech of members on the floor of the House. Your authority, and that of the House, is extensive.

First I start, as always, with our highest law, the State Constitution of 1784. Freedom of debate on the floor is addressed in Part I, Article 30 which provides that “speech, and debate” in the House cannot be the basis of any suit or claim “in any other court or place whatsoever.” (Emphasis added). The context is that accountability cannot be anywhere else except with the General Court, based on its plain meaning and intent. Thus steps can be taken by the Speaker and the House, though nowhere else, to govern speech and debate.

Part II, Article 22 the State Constitution gives the House the authority to punish for disrespect of the House. The power is broad, so much that it can even include imprisonment. Obviously less onerous relief can be afforded given that imprisonment is the outer-most constitutional power enumerated.

Next we look to the Rules of the House which provide in Rule #2 that the “Speaker shall preserve decorum and order, “unless overturned by a vote of the House. “Decorum and Debate” is fleshed out in the next section of the Rules which in Rule #10 adopts Mason’s Manual of Legislative Procedure as a parliamentary guide.

Three rules in Mason’s are relevant:

1. Section 121(2) provides that no member may use “indecent” language.
2. Section 561(3) provides that “whatever is spoken in the house is subject to the censure of the house.”
3. Section 805(2) provides that the presiding officer, (in this instance the Speaker) has the “discretion” to maintain the “dignity becoming that body.”

Accordingly, based upon the above authority, the Speaker has the power to call on members to use language appropriate to young students in the gallery during a debate on hawks as the State raptor. Time, place and manner are age old restrictions on speech, such as the old saw from Oliver Wendell Holmes that Americans have free speech but cannot shout “fire” in a crowded theater.

Your call for corrective action is completely within your constitutional authority as presiding officer of our House.

Respectfully submitted,
Charles G. Douglas, III
Legal Counsel to the House

NOTICE

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

CLOSES NOON on THURSDAY:

April 2
April 9

AVAILABLE FRIDAY:

April 3
April 10

Paul C. Smith, Clerk of the House

2015 HOUSE DEADLINES

Thursday, April 2, 2015
Thursday, April 30, 2015
Thursday, May 7, 2015
Thursday, May 28, 2015

Thursday, June 4, 2015
Thursday, June 11, 2015
Thursday, June 18, 2015
Thursday, June 25, 2015

CROSSOVER Last day to act on budget bills
Last day to report Senate Bills going to a second committee
Last day to act on SBs going to a second committee
Last day to report all remaining SBs
Last day to report list of retained SBs
Last day to act on SBs
Last day to form Committees of Conference
Last day to sign Committee of Conference reports
Last day to act on Committee of Conference reports

BILLS LAID ON TABLE

HB 112, relative to domicile for voting purposes. (Pending question: Ought To Pass)

HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts. (Pending question: Ought To Pass)

HB 241-FN, prohibiting driving while holding an animal in the driver’s seat. (Pending question: Ought To Pass)

HB 263, prohibiting residency restrictions on sex offenders. (Pending question: Ought To Pass)

HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students. (Pending question: Ought To Pass)

HB 349, relative to state buffers for projects requiring wetland permits. (Pending question: Inexpedient to Legislate)

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species. (Pending question: Inexpedient to Legislate)

HB 446, relative to access to investigational drugs, biological products, and devices. (Pending question: Inexpedient to Legislate)

HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefor. (No pending question)

HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home. (Pending question: Inexpedient to Legislate)

HB 461, prohibiting the use or application of foreign laws in the state court. (Pending question: Inexpedient to Legislate)

HB 496, prohibiting public employers from using criminal history in employment decisions. (Pending question: Inexpedient to Legislate)

HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities. (Pending question: Inexpedient to Legislate)

HB 543, repealing the electric renewable portfolio standard. (Pending question: Inexpedient to Legislate)

HB 551, relative to preventing diversion of business income to tax havens. (Pending question: Inexpedient to Legislate)

HB 595, relative to banning abortion after viability. (Pending question: Adopt committee amendment 2015-0748h)

HB 646, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law. (Pending question: Adopt committee amendment 2015-0753h)

HB 647, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions. (Pending question: Inexpedient to Legislate)

HB 655, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Pending question: Inexpedient to Legislate)

HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program. (Pending question: Inexpedient to Legislate)

HCR 3, applying to Congress to call a convention of states under the United States Constitution. (Pending question: Adopt committee amendment 2015-0423h)

HR 6, recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan. (Pending question: Inexpedient to Legislate)

HR 12, affirming revenue estimates for fiscal years 2015, 2016, and 2017. (Pending question: Third reading)

WEDNESDAY, APRIL 1

CONSENT CALENDAR

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 264, relative to tipped employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services. This bill adds the term "Ballroom" as defined by the New Hampshire Liquor Commission to the tipping law which will allow ballrooms to pay the subminimum wage plus tips like all other restaurants and bars. There are only two ballrooms as defined by the New Hampshire Liquor Commission in the state. This issue came to light after a New Hampshire department of labor audit and all parties agreed that this type of establishment should always have been included in the law from when it was originally passed. The New Hampshire department of labor supports this legislation. The labor committee is always wary of passing legislation for one or even a few businesses as a standard practice. This is a rare case where the committee felt a change was necessary to fix an unintended omission to a long existing law. This omission went unnoticed until this audit was performed and a strict interpretation of the existing law was applied. **Vote 19-0.**

WEDNESDAY, APRIL 1 REGULAR CALENDAR

PUBLIC WORKS AND HIGHWAYS

HB 25-FN-A, making appropriations for capital improvements. **OUGHT TO PASS WITH AMENDMENT.** Rep. Gene G. Chandler for Public Works and Highways. The treasurer indicated to the committee that a \$130 million capital budget would be about the maximum we should have this biennium, and reduce the next biennium to \$125 million and the following to \$120 million. The committee chose to be prudent and jump right to the next biennium's level, which we have done. As is usual, the capital budget is really an economic engine for the state as there are many projects statewide which not only improve the state's infrastructure but also provide many jobs, a better experience for our citizens and our visitors. The following are major items in the capital budget: The adjutant general will receive funds for the columbarium expansion at the veterans' cemetery as well as other building and repair projects. The department of administrative services has a number of roofing projects, safety code issues, restroom upgrades and ADA improvements. Funds for upgrades and improvements at the state house, in order to put on a good face for our upcoming celebration of the 200th anniversary of the state house. Also included is money to complete the repairs to the state house dome which is in very poor condition. Funding of \$16,600,000 is included for a new Merrimack County courthouse to be located on Hazen Drive or elsewhere in Concord if a suitable site can be found in time to start this project in a timely fashion. The community college system will receive \$14,200,000 for a number of projects and the University System is scheduled to receive 5 million dollars for system-wide deferred maintenance. The New Hampshire State Prison for Women project will receive an additional 12.6 million dollars. Preliminary bids were way in excess of the \$38 million included in the last capital budget and we have been assured that with this \$12.6 million a new design and women's prison can be completed. We have added language which says the new design must incorporate changes to minimize staffing and other costs once completed. A new design will not only save construction money but long term operation costs. The committee approved two career and technical education (CTE) projects; one in Dover and one in Somersworth, totaling \$7,900,000 in state funds. Local funds provide a 25% match. The department of environmental services is on tap to receive funding for a number of dam reconstructions, hazardous waste superfund match; drinking water and clean water facility funds to help our communities. Additionally, \$1.8 million is allocated for infrastructure improvements in the Suncook River to prevent the loss of the state owned bridge spanning the river. Health and human services is scheduled to receive funding for a potable water system at the Glencliff Home as well as other much needed life safety upgrades at Glencliff. Department of information technology will be getting funds to upgrade cyber security as well as expansion of the virtual server environment and enterprise collaboration solution. The judicial branch e-court system has proven to be very successful in saving time and expenses, not only for the judicial system but citizens as well, and will receive continued funding to the tune of 1.6 million dollars. The liquor commission will receive new funding from the liquor commission fund (RSA 176:16) for 3 new projects; replacing the leaking Concord warehouse roof, in-store security systems and a new consumer internet ordering site. In addition to these projects, liquor funds that were approved in the last capital budget for construction of 3 new retail stores in Salem, Epping and Warner became available due to the commission's decision to lease sites rather than build new stores. This money is now being used to complete the renovation of the Concord Storrs Street former retail location to office space and consolidate the agency in one location, to supplement the Concord warehouse roof replacement project, to start plans for layout and design of the Portsmouth Traffic Circle Store, to implement consistent signage at all locations statewide, and most significantly, to supplement the prior capital budget appropriation to upgrade the outdated point of sale software and hardware in 78 stores and back offices to be PCI (Payment Card Industry) compliant. The Piscataqua River Turning Basin project is a very vital project for the state and the Pease Development Authority in order to be able to turn the new size vessels that will be able to go up-river as soon as the new bridge is complete. The total project is \$19 plus million and we are receiving almost \$14 million in federal funds to complete it. In past capital budgets the committee has tried to catch up on needed projects for our state parks so accordingly, the department of resources and economic development will receive funding for a number of statewide roofing projects, parking lot improvements and restoration and bathroom projects. The department of safety will receive funding for a number of safety related items including the radio interoperability project. The committee worked very hard to ensure that any highway funds used to fund items for the department of safety are appropriate. We include planning and design money for a very necessary addition to the state archives building to enable the proper storage of not only our historic documents but other necessary documents. The veterans' home got the okay for \$13,550 million for a third floor addition to provide rooms and care of dementia patients at the home - \$8.8 million in federal funds will be utilized to complete this much needed and worthy project for our veterans. The department of transportation has a number of projects including mandatory underground fuel tank replacements, salt and patrol sheds and a new system for processing oversize and overweight permits

and welcome and information center improvements. As proposed, this budget authorizes \$124,817,373 in general fund spending down from \$134,544,611 as originally submitted. Additionally, we take advantage of \$118,394,100 in federal funds. The committee unanimously approved HB 25 as amended. **Vote 18-0.**

FINANCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Neal M. Kurk for the **Majority** of Finance.. This bill is the state's budget for the next two fiscal years. As house rules require, it is a balanced budget. Unlike the governor's \$11.486 billion budget, this committee budget is balanced with no new or increased taxes and is based on the unanimous house ways and means revenue estimates. It appropriates \$11.159 billion in total funds for the next biennium, up 3.3% from the \$10.797 billion appropriated in the current biennium. Included in that total are \$2.732 billion in general funds, up 2.8% from the \$2.657 billion appropriated in the current biennium. These appropriations meet the state's responsibilities in providing general government, health and human services, justice and public protection, environmental services, transportation and education, among others. While some appropriations were increased, in order to "live within our means," a number of appropriations had to be reduced. These reductions were difficult and painful for finance committee members to make. Some highlights of the budget: funding for opening the new women's prison is not included in the budget, as this new facility will not open until the next biennium. Various vacant positions throughout departments and agencies were unfunded, and hiring dates for other positions were delayed. The liquor commission will now pay its retirees' health costs, as will the racing and charitable gaming commission. The retiree health plan has been restructured so that the "Cadillac tax" under the Affordable Care Act will no longer apply. The premium amount for retirees under 65 has been increased to 20 percent, but for those retirees 65 and older there is still no cost. The new efficiency office will start one year later. E-filing funding in the department of revenue administration (DRA) remains, as does e-court funding in the judicial branch. Both of these programs will benefit residents and businesses. Business support in DRED remains, with funding for a new customer relations management system. The rooms and meals tax payments received by towns in FY15 have been level funded for the biennium. The tourism bureau will receive \$3 million less in rooms and meals tax revenue for each year of the biennium. Multi-state and other auditor positions at DRA proposed by the governor and modified by the house should increase revenue by \$8 million, an increase approved by house ways and means. A new joint licensing board resulted in a cost avoidance, as five proposed positions could be eliminated. Catastrophic special education aid to schools was increased to 100% of its estimated cost in FY17, a significant saving to local school budgets. Community college funding was increased by almost \$4.0 million over the current biennium. The university system will receive the same level of funding in the next biennium as it is receiving in the current biennium. The police standards and training council was funded at the governor's level. The fish and game commission executive director was empowered to set various fees, and \$600,000 in general funds was appropriated to the department for the biennium. No new members will be added to the commission. In FY16, the process of tapering down the stabilization grant program, developed and funded in 2012 to assist schools in the transition to the new adequacy formula, will begin. These grants were designed as a stop-gap measure, not a permanent program. School districts with growing student populations and school districts with declining student populations will receive the amounts the adequacy formula requires beginning in FY17. To ease the transition, no district will see its grant reduced by more than \$750,000 in FY 2017. The department of safety appropriation was reduced by \$5 million, and \$65.5 million of its total appropriation now comes from the general fund, allowing more highway funds to support the department of transportation (DOT). DOT's budget for new equipment purchases was reduced by \$20 million and winter maintenance by \$4 million. The \$68 million shortfall in the DOT operating budget has been made up by a combination of supplanting general funds in place of highway funds in the department of safety's budget and unrestricting revenue dedicated for highway and bridge betterment program. The net result is that DOT is funded at a level that, for the next two years, will allow it to continue to perform its operations as it is currently. When compared to the previous biennium, municipal block grant aid and municipal bridge aid remains at the same level, and funding for the widening of I-93 was not changed. This budget provides the department of health and human services (HHS) with an increase of \$78 million in general funds and \$131 million in total funds above current spending levels. Funding is provided to open 25 new beds in the veterans' home. Additional costs, due to the expanded eligibility of Medicaid, increased mental health services and additional payments to hospitals for uncompensated care, totaling \$123 million in general funds, necessitated reductions elsewhere. By allowing expanded Medicaid to sunset in accordance with current law, and by eliminating the related Health Insurance Protection Program, the governor's proposed budget was reduced by \$15.4 million in general funds. The developmental services waitlist and Medicaid waiver services were combined into one account, and the budget for developmental services was reduced by \$26 million in general funds. Non-Medicaid services

for the elderly were reduced by \$10.6 million in general funds with the understanding that meals-on-wheels service levels will not be reduced. The Servicelink program, which provides information and assistance, but does not provide direct services to the elderly, was unfunded. Nursing Facility Quality Assessment payments for nursing home were reduced by \$19 million in general funds, partially offset for county nursing homes by \$5.7 million of increased proportionate share revenue. The so-called “county cap” on the cost of Medicaid services for the elderly was increased by less than 2% per year. Funding for substance abuse was continued at the same level as in the current biennium. This budget is a “business as usual” budget. It pays for essential state services for the next two years; it does not deal with the larger issues facing our state, including an aging population, a dearth of young adults and an all-too-slowly growing economy, to the disappointment of many committee members. **Vote 14-9.**

Rep. Mary Jane Wallner for the **Minority** of Finance. The proposed budget fails the citizens of New Hampshire in several important ways. It ignores the warnings of major economists that we must invest in our future to attract a well-educated workforce that will help move our economy forward. The budget reduces K-12 education aid by \$27 million, risking the readiness of our students to be college and career-ready. Both community colleges and the university system receive less than the recommended funding in the governor’s budget, by a combined total of more than \$32 million. The university system will receive less money in 2016 than it did in 2015, despite our students having some of the highest college cost and debt burden in the nation. The budget cuts investment in our infrastructure and, at the same time, downshifts costs to maintain crumbling roads and bridges to our communities. By sweeping \$50 million from the Renewable Energy Fund, the budget breaks the promise made by republicans in January not to raid dedicated funds; at the same time it eliminates virtually all funding to develop new energy infrastructure projects that offer good jobs and lower municipal energy costs. By diverting \$14 million from last session’s gas tax increase to the general fund; this budget breaks the legislature’s promise to spend all of the added revenue fixing our eroding transportation infrastructure. The proposed budget also downshifts nearly \$6 million to our counties for long term care by raiding the “bed tax” funds. Broken promises and downshifting are magnified as revenue sharing to cities and towns is frozen, restricting state funding at the same time some communities will see loss of up to \$750,000 in education stabilization grants and all communities will see the fiscal impact of cuts to vital safety net programs that help vulnerable seniors and individuals with mental illness or disabilities. Programs that enable the elderly to remain in the community with dignity and stay off the more expensive Medicaid program are reduced. Funding for developmental disabilities programs is reduced below the current biennium’s level, decreasing the availability of community services that prevent institutionalization, and increasing the risk both of personal harm to individuals and litigation for the state. Cuts to mental health services will add to the number of people experiencing a mental health crisis, held in emergency rooms across the state while they wait for a psychiatric hospital bed. This budget cuts access to emergency shelter for homeless veterans, families, and victims of domestic violence. This budget refuses to address the epidemic of drug abuse that affects employers along with families, increases the strain on law enforcement and corrections budgets, and puts public safety at risk. The Sununu Center, which provides services to our most troubled youth, is cut by nearly a third with no feasible plan to maintain operations. In addition, the budget eliminates funding at the end of 2016 for the New Hampshire Health Protection Program. Ending this program, currently helping almost 40,000 granite staters, may lead to destabilization of both the health care provider system and our insurance markets along with greater burden on local welfare offices. All of these cuts to safety net programs can be expected to be downshifted to local communities as the needs will certainly not disappear. In addition to all other broken promises, the budget effectively increases the tax burden on business as energy costs continue to rise without investment in new energy projects and private nursing home payments are cut by \$26 million in bed tax payments. Collective bargaining agreements are not funded in this budget, undermining our state employees and breaking our promise to them. The minority believes these short-sighted cuts will make it harder for vulnerable individuals to live decently and with human dignity, and the lack of investment in our economy will hurt New Hampshire long into the future.

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

Rep. Neal M. Kurk for the **Majority** of Finance. This is the companion or “trailer bill” to HB 1-A, the biennial budget. It contains necessary statutory changes to allow HB 1-A to be executed appropriately. Various sections were changed or removed to conform to bills passed by the House. A number of technical corrections were made. Various tax and fee increases proposed by the governor were removed, including the increases in vehicle registration fees, the increase in the tobacco tax, and the “reasonable compensation” business tax increase. Expanded Medicaid, known in New Hampshire as the New Hampshire Health Protection Program (NHHPP), will terminate on December 31, 2016, in accordance with current law, and will not be extended. Medicaid coverage for pregnant women and children will be reinstated on the same date. Other key provisions include: removing minimum sentences for non-violent criminals and encouraging the use of electronic bracelets; providing for faster and more efficient processing of felony cases, in accordance with procedures

developed by the judicial branch; allowing the executive director in consultation with the fish and game commissioners to set fees for all licenses under their purview, provided the fees are established in rules and are reviewed by the joint legislative committee on administrative rules (JLCAR); removing the governor's proposed increase in the boat registration fee; authorizing departments to enter into lease-purchase agreements for vehicles or equipment; increasing public charter school funding (HB 563); combining the racing and charitable gaming commission and the lottery commission; authorizing the lottery commission to purchase its building; providing a term of office for the executive director of the lottery commission; removing the cap on education grants and tapering off the stabilization grants, starting in FY 2017; increasing the vanity plate fee by \$3, with the increase used to fund the department of safety detective bureau; removing Kenos and electronic Lucky 7 tickets; allowing the certificate of need board to sunset on June 30, 2016, as per current law, with any remaining funds returned to payers; continuing the moratorium on new nursing home beds; continuing the \$5 million credit for county nursing homes; requiring Medicaid managed care organizations to use their preferred drug lists, saving \$5 million in general funds; delaying for a year the opening of the 10-bed expansion of the NH hospital psychiatric crisis unit as a result of additional mental health community services; reducing the cost per youth of operating the Sununu Youth Services Center to the average daily rate of community homes. **Vote 14-9.**

Rep. Mary Jane Wallner for the **Minority** of Finance. The minority of the committee cannot support HB 2 as amended. Included in the act are inappropriate changes to collective bargaining agreements on health insurance and alterations to retiree health benefits. It also suspends rooms and meals tax distributions to travel and tourism efforts. Costs to implement provisions of voter identification law will be downshifted to cities and towns. The minority is opposed to the nearly \$6 million downshift to counties for long term care costs through a provision that deposits 25% of the nursing home bed tax and companion federal matching funds into the general fund. This same provision has the effect of a \$26 million tax increase on private nursing homes. The minority believes we should listen to the experts in health care policy and economics and extend the sunset provision for the certificate of need. The NH Health Protection Program should also be extended, so that we capitalize on the investment in our economy and increase the financial security of families and providers. The minority believes the governor's revenue proposals, such as closing the off-shore tax loophole and raising the cigarette tax, as our neighboring states have done, were reasonable and would have avoided many of the painful and misguided cuts in the budget.

COMMITTEE MEETINGS

FRIDAY, MARCH 27

COASTAL RISK AND HAZARDS COMMISSION (RSA 483-E:1), Department of Environmental Services, Pease

9:00 a.m. Regular meeting.

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

11:00 a.m. Organizational meeting.

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g), Room 201, LOB

10:00 a.m. Regular meeting.

SUNDAY, MARCH 29

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), NHTI, Concord

1:00 p.m. Regular meeting.

MONDAY, MARCH 30

COMMISSION TO STUDY SEXUAL ABUSE PREVENTION EDUCATION IN ELEMENTARY AND SECONDARY SCHOOLS (RSA 189:69), Room 101, LOB

10:00 a.m. Regular meeting.

TUESDAY, MARCH 31

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. **SB 105**, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act.

11:00 a.m. **SB 155-FN-A**, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

1:15 p.m. **SB 219-FN**, relative to breastfeeding.

2:15 p.m. **SB 178**, relative to optometrist participation in vision insurance plans.

2:45 p.m. Subcommittee work session on **SB 110-FN**, establishing the administrative supervision act.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **SB 106-FN**, restricting the sale or possession of synthetic drugs.

1:00 p.m. **SB 40-FN**, including a viable fetus in the definition of “another” for the purposes of certain criminal offenses.

Executive session on pending legislation may follow.

EDUCATION, Room 207, LOB

9:30 a.m. **SB 195-FN**, encouraging instruction in cursive handwriting and memorization of multiplication tables.

10:00 a.m. **SB 151-FN**, requiring inclusion of home educated pupils in the definition of average daily membership in attendance.

10:30 a.m. **SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program.

11:15 a.m. Executive session on **SB 71**, relative to the administration of glucagon injections for children in schools, **SB 166**, relative to facilitated individualized education program meetings and **SB 194-FN**, relative to epinephrine administration policies in postsecondary educational institutions.

1:00 p.m. Executive session on **SB 69**, establishing a commission to study social impact bond funding for early childhood education for at-risk students, **SB 101**, prohibiting the state from requiring implementation of common core standards, **SB 151-FN**, requiring inclusion of home educated pupils in the definition of average daily membership in attendance, **SB 195-FN**, encouraging instruction in cursive handwriting and memorization of multiplication tables, and **SB 265-FN**, establishing the achieving a better life experience (ABLE) savings account program.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **SB 148**, relative to the shellfish inspection program.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. **SB 104-FN**, relative to licensure of research organizations by the pharmacy board.

11:00 a.m. **SB 125-FN**, relative to certification and licensure for mold assessment or remediation services.

1:00 p.m. Executive session on **SB 161**, relative to the wellness and primary prevention council, **SB 250**, relative to the jurisdiction and voting procedures of the executive branch ethics committee, and **SB 259-FN-L**, (New Title) relative to place of assembly licenses.

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

10:15 a.m. Subcommittee work session on **SB 70**, relative to the processing of lobster tails.

11:00 a.m. Executive session on **SB 70**, relative to the processing of lobster tails, and **SB 181**, relative to registration fees for hunter education programs of the fish and game department.

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

9:00 a.m. Subcommittee work session on **SB 56**, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues.

10:30 a.m. **SB 67**, establishing a commission to study opioid misuse in New Hampshire.

1:00 p.m. **SB 112**, requiring the Medicaid managed care program to cover telemedicine services.

2:00 p.m. **SB 187**, allowing a patient to designate a caregiver upon entry to a medical facility.

JUDICIARY, Room 208, LOB

10:00 a.m. **SB 149**, relative to nonpublic sessions under the right-to-know law.

11:00 a.m. **SB 44**, relative to nonpublic sessions of public bodies under the right-to-know law.

1:00 p.m. **SB 14**, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.

1:30 p.m. **SB 91**, relative to appointment of counsel for indigent defendants.

2:00 p.m. **SB 94**, relative to documents filed electronically with a court under oath.

2:30 p.m. **SB 12**, relative to jurisdiction over surrogacy cases under RSA 168-B.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:30 a.m. Subcommittee work session on **SB 38**, establishing a commission to develop a land conservation plan.

11:15 a.m. Subcommittee work session on **SB 80**, relative to the state trails plan and establishing a committee on rail trails.

1:00 p.m. **SB 168**, relative to the duties of the commissioner of the department of environmental services.

1:30 p.m. **SB 172**, relative to the size limitations of off highway recreational vehicles.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Committee briefing by Meredith Hatfield, NH Office of Energy & Planning on the status of divestiture legislation.

1:00 p.m. Continued public hearing on **SB 117-FN-L**, relative to energy security and diversity.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Subcommittee work session on **SB 211-FN**, relative to taxation of employee leasing companies under the business enterprise tax.

11:00 a.m. Subcommittee work session on **SB 134-FN**, relative to the escheat of United States savings bonds.

WEDNESDAY, APRIL 1**ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b), NHDOE, Londergan Hall, Room 15, 101 Pleasant St., Concord**

4:30 p.m. Regular meeting.

THURSDAY, APRIL 2**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

10:00 a.m. **SB 55**, allowing private employers to establish a policy granting a veterans' preference in employment decisions.

10:30 a.m. **SB 50**, relative to the content of a mortgage foreclosure notice.

11:00 a.m. **SB 75**, relative to unfair trade practices targeting veterans.

11:30 a.m. **SB 218-FN**, making spoofing an unfair and deceptive act under the consumer protection law.

1:15 p.m. **SB 163**, relative to wholesale hospital-to-hospital laboratory and testing services.

2:00 p.m. **SB 137**, relative to cost-sharing parity for oral anti-cancer therapies.

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

9:00 a.m. Subcommittee work session on **SB 49**, relative to clinical eligibility determination for long-term care.

10:30 a.m. Executive session on **SB 22**, relative to certain changes in the law governing the therapeutic use of cannabis, **SB 23**, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions, **SB 49**, relative to clinical eligibility determination for long-term care, **SB 56**, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues, **SB 67**, establishing a commission to study opioid misuse in New Hampshire, **SB 84**, relative to the definition of "telemedicine.", **SB 108-FN**, relative to health care associated infections, **SB 112**, requiring the Medicaid managed care program to cover telemedicine services, **SB 133-FN**, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department, **SB 187**, allowing a patient to designate a caregiver upon entry to a medical facility, and **SB 200-FN**, relative to newborn screening for Krabbe Leukodystrophy.

SHORELAND ADVISORY COMMITTEE (RSA 483-B:21), New Hampshire Department of Environmental Services, Room 110, 29 Hazen Dr., Concord

1:00 p.m. Regular meeting.

FRIDAY, APRIL 3**COASTAL RISK AND HAZARDS COMMISSION (RSA 483-E:1), Department of Environmental Services, Pease**

11:00 a.m. Steering Committee.

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

1:00 p.m. Organizational meeting.

ELECTRIC UTILITY RESTRUCTURING OVERSIGHT COMMITTEE (RSA 374-F:5), Room 304, LOB

10:00 a.m. Organizational meeting and to hear a progress report by the Public Utilities Commission on its progress concerning the divestiture of PSNH's generation assets.

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

9:00 a.m. Regular business meeting.

9:30 a.m. Audits:

State of New Hampshire Management Letter Year Ended June 30, 2014, State of New Hampshire Turnpike System Internal Control Letter For the Year Ended June 30, 2014, State

of New Hampshire Lottery Commission Management Letter For the Fiscal Year Ended June 30, 2014, State of New Hampshire Internal Service Fund Management Letter For the Fiscal Year Ended June 30, 2014 and State of New Hampshire Liquor Commission Management Letter For the Fiscal Year Ended June 30, 2014

FILM AND TELEVISION COMMISSION (RSA 21-K:23, III), Dept. of Cultural Resources, 19 Pillsbury St., Concord

10:00 a.m. Regular meeting.

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R), Room 308, LOB

10:00 a.m. Regular meeting.

MONDAY, APRIL 6

STATE COMMITTEE ON AGING (RSA 161-F:7), DHHS Brown Bldg., 129 Pleasant St., Concord

10:00 a.m. Regular meeting.

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

1:15 p.m. Regular meeting.

TUESDAY, APRIL 7

JOINT HEALTH CARE REFORM OVERSIGHT COMMITTEE (RSA 420-N:3), Room 302, LOB

3:00 p.m. Organizational meeting and briefing by the New Hampshire Department of Insurance.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:15 a.m. **SB 255**, establishing a low-wage service worker task force.

10:30 a.m. **SB 186**, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund.

11:00 a.m. **SB 45**, relative to opioid treatment agreements under workers' compensation law.

TRANSPORTATION, Room 203, LOB

10:00 a.m. **SB 160**, relative to duplicate vessel registration certificates.

10:20 a.m. **SB 230-FN-L**, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.

11:00 a.m. **SB 63**, relative to membership of the board of directors for the New Hampshire rail transit authority.

11:20 a.m. **SB 231**, relative to the month of inspection for municipal fleets.

1:00 p.m. **SB 171**, (New Title) establishing a committee to study issues concerning parking for those with walking disabilities.

1:30 p.m. **SB 78**, relative to original and youth operators' licenses.

2:00 p.m. **SB 252**, establishing a committee to study a number plate commemorating Laconia Motorcycle Week.

2:30 p.m. **SB 62**, relative to drivers' licenses for persons without a permanent address.

WAYS AND MEANS, Rooms 202-204, LOB

9:00 a.m. **SB 113-FN-A-L**, relative to video lottery and table gaming.
Executive session in pending legislation may follow.

MONDAY, APRIL 13

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), joint with PRE-ENGINEERING TECHNOLOGY ADVISORY (RSA 188-E:15), Room 202, LOB

3:00 p.m. Regular meeting.

COMMISSION TO STUDY SEXUAL ABUSE PREVENTION EDUCATION IN ELEMENTARY AND SECONDARY SCHOOLS (RSA 189:69), Room 101, LOB

10:00 a.m. Regular meeting.

THURSDAY, APRIL 16

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D:1), Army Aviation Support Facility, 26 Regional Dr., Concord

2:30 p.m. Regular meeting.

JUDICIARY, Room 208, LOB

10:00 a.m. **SB 124-FN**, relative to filing felonies first in the superior court.

1:00 p.m. **SB 209-FN**, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

Executive session on pending legislation my follow.

FRIDAY, APRIL 17**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Regular meeting.

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 303, LOB

1:00 p.m. Regular meeting.

MONDAY, APRIL 20**INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E), Room 204, LOB**

1:30 p.m. Regular meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB

1:30 p.m. Regular meeting.

FRIDAY, APRIL 24**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 301-303, LOB**

9:30 a.m. Regular meeting.

FRIDAY, MAY 1**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Continued regular meeting.

MONDAY, MAY 6**ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b), NHDOE, Londergan Hall, Room 15, 101 Pleasant St., Concord**

4:30 p.m. Regular meeting.

MONDAY, MAY 11**ASSESSING STANDARDS BOARD (RSA 21-J:14-a), NH Department of Revenue Administration, 109 Pleasant St., Concord**

9:30 a.m. Regular board meeting.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

The **Hillsborough** County Executive Committee will be meeting on **Friday, March 27th at 9:00 a.m.** at the Hillsborough County Complex, Bouchard Building, Goffstown. A budget orientation will immediately follow.

Rep. Jim Belanger, Clerk

Hillsborough Executive Committee

REVISED FISCAL NOTES

The following Bills have revised fiscal notes: HBs 197, 208, 215, 221, 267, 354, 357, 477, 563, 577, 578, 596, 600, 606, 609, 614, 619, 622, 626, 628, 629, 630, 632, 634, 635, 638, 639, 642, 648, 649, 651, 654, 655, 656, 658, 881, 663, 665, 667, 668, 669, 671, 672, 673, 674, 677, 678, 679, 680, 681, 684, 685, SB 20, SB 93, SB 120, SB 133, SB 211, SB 230, SB 259

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.

Legislators are invited to an informational luncheon regarding the Access Northeast natural gas pipeline project on **Tuesday, March 31st at noon** at the Concord Holiday Inn. The project is proposed by Eversource, Spectra and NationalGrid, and seeks to expand natural gas capacity into New Hampshire and the New England region by upgrading existing gas pipelines on existing rights of way. Those interested in attending this event can RSVP to **rsvp@elevare.com**.

Rep. John Hunt

New Hampshire Healthy Homes invites you to join us for breakfast on **April 1st from 7:30 a.m. to 10:00 a.m.** in the State House Dining Room. Visit exhibits about energy efficiency, fire prevention, pest management and reducing asthma, carbon monoxide, household poisoning and other impediments to healthy homes. The breakfast and information will be brought to you by New Hampshire Healthy Families, Well Sense Health Plan, New Hampshire Housing, New Hampshire Public Health Association, and the partners of the New Hampshire Healthy Homes Steering Committee.

Rep. Chuck Townsend

All members are invited to Capitol Bible Study and Prayer on **April 1st at 8:00 a.m.** in LOB 303 with Pastor Peter Chamberland. Refreshments will be served. Come and join us for a time of devotion and prayer before session.

Rep. Warren Groen

OWLS will meet at lunchtime on **Wednesday, April 1st in Room 308, of the State House**. Bring your lunch.

Rep. Debra DeSimone

Transport New Hampshire and the Statewide Transportation Initiative are hosting a Legislative Breakfast on the topic of Safe Travel for All Road Users. Join us on **Wednesday, April 8th from 8:00 a.m. to 10:00 a.m.** at the State House cafeteria. A light continental breakfast will be served. Volunteers and staff from network organizations will also be on hand to answer questions about safety for state residents as they travel by car, bus, bicycle and on foot.

Rep. Linda Gould

The New Hampshire Association of Regional Planning Commissions (NHARPC) will be hosting a Legislative Breakfast on **Wednesday, April 15th from 8:00 a.m. – 9:30 a.m.** in the State House Cafeteria. We cordially invite all members of the New Hampshire House and Senate to attend. Members of NHARPC will be present to highlight various projects that the regional planning commissions are involved in.

Rep. James Coffey

The NH Oral Health Coalition invites all House members to join us for our Annual Legislative Breakfast – “Banding Together for NH’s Oral Health” on **Wednesday, April 22nd from 7:30 to 9:00 a.m.** in the NH State House Cafeteria. A *hot* breakfast will be served by Elizabeth’s Kitchen at the State House. Oral Health Coalition members statewide will provide displays and updated information on access to oral health throughout NH. RSVP to: info@nhoralhealth.org or 603-415-5550.

Rep. Tom Buco

All legislators and staff are warmly welcomed to a Celebration of New Car Technology on **Wednesday, April 29th from 11:30 a.m. to 2:00 p.m.** on the State House Plaza. Please join the Alliance of Automobile Manufacturers outside as automakers showcase their vehicles and the latest in automotive technology. Alliance staff will be on hand to answer your questions about the industry and its critical role in the economic growth of the Granite State.

Reps. Gene Chandler, Jack Flanagan, Stephen Shurtleff

The New Hampshire Soft Drink Association cordially invites all House and Senate members and legislative staff to enjoy lunch on **Wednesday, April 29th from 12:00 p.m. to 2:00 p.m.** in the State House Cafeteria. Please come and see how the beverage industry in New Hampshire is delivering jobs, choice and recycling innovation for the people of New Hampshire. Experts will be on hand to demonstrate how plastic bottles are recycled and reused. It is a great demonstration to see. See you there!

Reps. Jack Flanagan and Stephen Shurtleff

The NH House Business Caucus will meet on **Tuesdays at 8:30 a.m. in LOB 209**. All current, pro-business State Representatives are welcome to attend. The House Business Caucus is a non-partisan group of like-minded members who promote job creation and expansion of the economic base through strong business growth and success. In addition to working together to pass good, pro-business legislation, members of the Caucus meet regularly with employers to ensure an ongoing dialogue and obtain feedback and input on how we can make positive policy decisions. For more information, please contact Rep. Laurie Sanborn, Chair, at RepSanborn@gmail.com

Reps. Laurie Sanborn, Patrick Abrami, Adam Schroadter

The House Republican Alliance will meet **Tuesdays, 8:30 a.m. in LOB 204** to discuss legislation. All Republican Representatives are welcome.

Reps. Carol McGuire, Bill Ohm, Leon Rideout

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 **2015**. 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 Administrator

DATE	TIME	GROUP	Group#/Grade
March 27	9:00	Epsom Central School	50/4
March 27	10:45	Barnstead Elementary School	55/4
March 30	10:30/12:00 SH/HM	Milford Elementary School	100/4
March 31	9:00	Chichester Central School	28/4
March 31	10:30/12:00 SH/HM	Milford Elementary School	100/4
April 1	9:45	Groveton & Stratford Elementary Schools	24/4
April 1	11:00	South Range Elementary School – Derry	58/4
April 2	9:30	Alton Central School	50/4
April 2	11:00	New Franklin School – Portsmouth	49/4
April 3	9:30/11:00	Hanover St. School – Lebanon	60/4
April 6	10:00/11:00 SH/SC	Stratham Memorial School	100/4
April 7	9:30	St. Thomas Aquinas – Derry	49/3&4
April 7	10:30	St. Benedict Academy – Manchester	25/4
April 7	11:30	Pittsfield Elementary School	40/4
April 7	1:00	Bishop Brady High School – Spanish Exchange students – Concord	25/HS
April 8	10:30/11:45 SH/HM	Crescent Lake School – Wolfeboro	70/4
April 9	9:30/11:00 SH/HM	Little Harbor School – Portsmouth	100/4
April 10	9:30	Mount Lebanon School – West Lebanon	49/4
April 10	10:30	Greenfield Elementary School	20/4
April 10	10:30	Hancock Elementary School	20/4
April 10	11:30	Teen Pact	
April 13	9:30/11:00 SH/HM	Webster School – Manchester	57/4
April 13	11:30	Lafayette Regional School – Franconia	17/4
April 14	9:45	Maple Wood School – Somersworth	45/4
April 14	11:00	Goshen Lempster Coop School	20/4

DATE	TIME	GROUP	Group#/Grade
April 15	9:30/11:00 SH/HM	Jaffrey School	60/4
April 15	12:00	Alvirne High School – French Exchange	35/HS
April 16	10:00/11:30 SH/HM	Horne St. School – Dover	105/4
April 17	9:45/10:45 SH/HM	D.A.R. NH Good Citizens	100/HS & adults
April 17	10:00/11:30 SH/SC	Captain Samuel Douglas School – Brookline	95/4
April 17	10:15	Merrimack Valley Middle School	12/HS
April 17	1:30	Emerging Leaders in Communities of Color	10/adults
April 20	10:30	Ossipee Central School	54/4
April 20	11:30	Tuftonboro Central School	21/4
April 20	3:00	Belmont High School – French Exchange	36/HS
April 21	10:00/11:30 SH/HM	Garrison School – Dover	100/4
April 22	9:00	Greenland Central School	49/4
April 22	10:00	Pax Exchange Scholarship Recipients	20/HS
April 22	12:00	Presentation of Mary School – Hudson	50/4
April 23	9:45/11:00 SH/HM	Danville Elementary School	63/4
April 24	9:30/11:00 SH/HM	Hillsboro-Deering School	90/4
April 28	10:00	Keene State College French students	35/Col
April 29	9:00	Hanover High School German Exchange students	20/HS
April 29	3:00	Immaculate Conception Apostolic School	27/HS
April 30	10:30	North Walpole School	24/4

AMENDMENTS

Floor Amendment to HB 1-A

(2015-1168h)

Proposed by Reps. Wallner, Nordgren, Rogers

Amend the bill by inserting after section 10 the following and renumbering the original sections 11 and 12 to read as 15 and 16, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, division of developmental services the sum of \$22,000,000 for fiscal year 2016, and \$30,000,000 for fiscal year 2017 is hereby appropriated. Of said appropriations, \$11,000,000 shall be from state general funds, and \$11,000,000 shall be from federal funds for fiscal year 2016, and \$15,000,000 shall be from state general funds, and \$15,000,000 shall be from federal funds for fiscal year 2017. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, bureau of elderly and adult services, social services, the sum of \$5,200,000 for fiscal year 2016, and \$5,350,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

13 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, bureau of elderly and adult services, Servicelink, the sum of \$1,300,000 for fiscal year 2016, and \$1,300,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

14 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, emergency shelters account 05-95-42-4230-7928, the sum of \$2,000,000 for fiscal year 2016, and \$2,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Floor Amendment to HB 1-A

(2015-1170h)

Proposed by Reps. Rogers, Eaton

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-12 to read as 14-15, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, medicaid managed care, medical payments to providers, substance use disorder benefit, the sum of \$6,600,000 for fiscal year 2017 is hereby appropriated. Of said appropriation, \$3,300,000 shall be from state general funds, and \$3,300,000 shall be from federal funds. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, governor's commission fund the sums of \$2,000,000 for fiscal year 2016 and \$4,000,000 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

13 Department of Safety; Appropriation. In addition to any other sums appropriated to the department of safety, state police forensic lab, the sums of \$203,968 for fiscal year 2016 and \$240,995 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Floor Amendment to HB-1-A

(2015-1171h)

Proposed by Reps. Eaton, Ford, Buco

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-12 to read as 14-15, respectively:

11 University System of New Hampshire; Appropriation. In addition to any other sums appropriated to the university system of New Hampshire, the sums of \$10,500,000 for fiscal year 2016 and \$17,500,000 for fiscal year 2017 are appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

12 Community College System of New Hampshire; Appropriation. In addition to any other sums appropriated to the community college system of New Hampshire, the sum of \$1,500,000 for fiscal year 2016 and \$3,730,000 for fiscal year 2017 are appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

13 Department of Resources and Economic Development; Appropriation. In addition to any other sums appropriated to the department of resources and economic development, travel development fund, the sums of \$3,769,914 for fiscal year 2016 and \$3,748,072 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Floor Amendment to HB 1-A

(2015-1172h)

Proposed by Reps. Nordgren, Rosenwald

Amend the bill by inserting after section 10 the following and renumbering the original sections 11 and 12 to read as 14 and 15, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, division of public health, community health centers, the sum of \$1,000,000 for fiscal year 2016, and \$1,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, New Hampshire Hospital, the sum of \$1,900,000 for fiscal year 2016 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

13 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the Department of Health and Human Services, LTC-county participation account 05-95-48-4810-7872, the sum of \$10,000,000 for fiscal year 2016, and \$10,000,000 for fiscal year 2017 is hereby appropriated. Of said appropriations, \$5,000,000 shall be from state general funds, and \$5,000,000 shall be from federal funds for fiscal year 2016, and \$5,000,000 shall be from state general funds, and \$5,000,000 shall be from federal funds for fiscal year 2017. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

Amendment to HB 2-FN-A-LOCAL

(2015-1163h)

Proposed by the Majority of the Committee on Finance - r

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

1 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, may 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 except for the liquor commission, as necessary to effectuate the efficient consolidation of human resource and payroll functions within state government.

II. The commissioner of administrative services may establish the number and classification of personnel required for human resource and payroll management in state government except for the liquor commission and, with the prior approval of the governor and council, may eliminate unnecessary positions and transfer

to the department of administrative services any position in another agency except for the liquor commission 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. Notwithstanding any law or administrative rule to the contrary, the division of personnel shall be authorized to reclassify positions required for human resources or payroll consolidation from one class series to a different class series as provided in RSA 21-I:54 and shall not require the approval of governor and council.

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.

2 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, may 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 except for the liquor commission, as necessary 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 may 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 make recommendations, including for a proposed implementation plan, for consolidation of such functions.

III. The commissioner of administrative services may 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, may eliminate unnecessary positions and transfer to the department of administrative services any position in another agency except for the liquor commission identified by the commissioner of administrative services as necessary 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, and 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.

3 Department of Administrative Services; Continuation of Appropriation. 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, 2017. 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.

4 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, 2017, 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; provided if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court.

5 Department of Administrative Services; 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, 2015 and June 30, 2017, 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, 2015 and June 30, 2017, to the director of the division of personnel within 10 days of the layoff.

6 Health Risk Appraisal; Protected Health Information. All information contained in a state employee's health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the non-disclosure and other restrictions set forth in the Health Insurance Portability and Accountability Act of 1996, as amended, (HIPAA) Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. Part 160 and Subparts A and E of Part 164 ("Privacy Rule").

7 State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

8 New Paragraph; Executive Councilors. Amend RSA 94:1-a by inserting after paragraph IV the following new paragraph:

V.(a) Executive councilors may participate at their own expense in a group health and dental insurance arrangement during their tenure in office. Such group health and dental insurance arrangement shall be the state employees group insurance plan afforded full-time state employees.

(b) Notwithstanding the terms of any state employee group insurance contract or other state law to the contrary, executive councilors who have participated in a group health and dental insurance arrangement during their tenure in office, shall elect, within 30 days after they leave the executive council, either to continue to participate fully in that arrangement for as long as they choose to do so at their own expense, or to discontinue their participation.

(c) The commissioner of the department of administrative services shall invoice and collect amounts due from executive councilors and former executive council members. Collected amounts shall be deposited in the employee and retiree benefit risk management fund, established in RSA 21-I:30-e.

(d) Failure to remit payment for participation pursuant to paragraph I in full within 30 days of billing shall be grounds for terminating benefits, effective with the beginning of the billing period. Reenrollment shall be dependent upon payment of outstanding participation or other amounts.

(e) Failure to remit payment in full for participation pursuant to paragraph II within 60 days of billing shall be grounds for permanently terminating benefits effective upon the beginning of the billing period. Either in the billing notice or in a separate notice to the person billed, the department of administrative services shall advise that failure to pay the specified amount in full within the required time shall be grounds for permanent termination of benefits.

9 Department of Administrative Services; Energy Consumption Reduction Reports. Amend RSA 21-I:14-c to read as follows:

21-I:14-c Energy Consumption Reduction Goal; Reports.

I. Each state department shall identify cost-effective measures to reduce fossil fuel consumption by 25 percent by 2025 in state buildings, on a square foot basis, compared to a 2005 baseline. Implementation of any measures shall be subject to the appropriate budgetary process and approval. Cost effectiveness for the purposes of this section shall mean a return on investment based on energy savings and reduced operational costs within the expected lifetime of the measure.

II. Beginning in calendar year ~~2012~~ **2016**, each state department shall submit ~~an annual~~ **a biennial** report to the commissioner of administrative services on or before ~~September 1~~ **October 15** which details any cost-effective measures it is utilizing and those potential measures, subject to budgetary approval, to comply with the energy consumption reduction goal established in paragraph I and its annual progress in complying with this goal.

III. Beginning in calendar year ~~[2012]~~ **2016**, the commissioner shall submit ~~[an annual]~~ **a biennial** report to be made available to the public on or before ~~[December 1]~~ **January 15** compiling the annual reports submitted under paragraph II, with findings on the departments' annual progress in complying with the energy consumption reduction goal established in paragraph I and problems which may prevent the departments from achieving this goal, to the governor, the senate president, the speaker of the house of representatives, the chair of the senate energy and natural resources committee and the chair of the house science, technology and energy committee.

10 New Paragraph; Department of Administrative Services; State Facility Energy Cost Reduction; Definition of Renewable Energy Added. Amend RSA 21-I:19-b by inserting after paragraph VI the following new paragraph:

VII. "Renewable energy," for the purposes of this section, means wind energy; biomass energy; geothermal energy, if the geothermal energy output is in the form of useful thermal energy; hydrogen derived from biomass fuels or methane gas; ocean thermal, wave, current, or tidal energy; methane gas; solar thermal or electric energy; or hydropower.

11 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-I:19-d, I to read as follows:

I. Any state agency or municipality may enter into an energy performance contract for the purpose of undertaking or implementing energy conservation or alternate energy measures in a facility. An energy performance contract may include, but shall not be limited to, options such as joint ventures, shared-savings contracts, positive cash flow financing or energy service contracts, or any combination thereof, provided that at the conclusion of the contract the agency will receive title to the energy system being financed, if the agency so desires. ~~[The agency that is responsible for a particular facility shall review and make recommendations regarding energy performance contract arrangements for the facility to the IEEC.]~~

12 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-I: 19-d, II(f) to read as follows:

(f) Any energy performance contract should require the contractor to include all energy efficiency improvement in selected buildings that are calculated to recover all costs within 20 years from the date of project implementation at existing energy prices. The contract shall require that the public utility or energy services provider be repaid only to the extent of energy cost savings guaranteed by the contractor to accrue over the term of the contract. ~~[Repayments to the public utility or energy services provider shall be interest-free.]~~

13 New Paragraph; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I:30 by inserting after paragraph II the following new paragraph:

II-a. Retired employees who are eligible for Medicare Part A without premium due to age or disability shall provide proof of enrollment in Medicare Parts A and B within 30 days of becoming eligible for Medicare or they shall no longer be eligible to participate in the state retiree benefit plan for as long as they are not participating in Medicare Parts A and B.

14 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. RSA 21-I:30, III is repealed and reenacted to read as follows:

III. The state shall pay a partial premium for each retired employee, as defined in paragraphs VI and VII, who is not eligible for Medicare and for his or her spouse for their lifetimes, toward group health care coverage within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption. Pursuant to paragraph XIII, a portion of the premium shall be paid by each retiree and his or her spouse. Retired employees who are not eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

15 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I: 30, XIII to read as follows:

XIII. The commissioner of administrative services shall invoice and collect from retired state employees ~~[under the age of 65 years]~~ **and/or each applicable spouse who are not Medicare eligible and** receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, ~~[the]~~ **a premium contribution [amounts of 12.5 percent] amount based on a percentage** of the total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 20 percent.** The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within

10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

16 Department of Administrative Services; New Hampshire Retirement System; Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall deduct from the monthly retirement allowance of retired state employees ~~[under the age of 65 years]~~ **and/or each applicable spouse who are not Medicare eligible and** receiving medical and surgical benefits provided pursuant to RSA 21-I:30, ~~[the]~~ **a** premium contribution ~~[amounts of 12.5 percent]~~ **amount based on a percentage** of the total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than 20 percent.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree **and/or each applicable spouse** the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

17 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and **their applicable** spouses ~~[under the age of 65 years]~~ **who are not Medicare eligible and** receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount ~~[of 12.5 percent of the]~~ **based on a percentage of the** total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 20 percent.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

18 Lottery Commission; Incentive Program. Amend RSA 284:21-h by inserting after paragraph VI the following new paragraph:

VII. 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.

19 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2017, 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.

20 New Paragraph; Department of Justice; Civil Bureau; Contract Attorney. Amend RSA 21-M:11 by inserting after paragraph II the following new paragraph:

III. The department of justice shall have the authority to hire a full-time attorney assigned to the bureau, who shall act as legal counsel for state executive agencies in the procurement, negotiation, and development of contracts as determined by the attorney general. Each agency shall notify the department of justice of its intent to procure a contract or enter into any agreement that may materially impact the state, according to criteria established by the department of justice, including but not limited to, contract value, complexity, and performance obligations.

21 Department of Justice; Agency Attorneys. Amend RSA 7:13 to read as follows:

7:13 Transfer of Attorneys From Other Departments.

I. Upon request of the attorney general, the governor is hereby authorized to transfer any employee authorized to do legal work, and all unexpended appropriations and funds allocated for the payment of such employee's salary, from any department or agency of the state to the department of justice whenever such action is deemed by the governor to be in the best interest of the state. ***Upon transfer, the employee's position shall be converted to an unclassified attorney position. The transferring agency shall be responsible for any eligible earned but unused leave due to the employee.*** Any such employee so transferred or employed by the expenditure of such funds and appropriations shall be directly responsible to the attorney general and shall perform such services as the attorney general may direct. [The provisions of this section shall not apply to the general counsel and counsel of the department of employment security.]

II. ***Whenever an attorney position in any agency or department becomes vacant, the attorney general shall have the option of transferring the position and any related appropriations to the department of justice. The attorney general shall be notified whenever such a vacancy occurs, and shall decide whether to request a transfer of the position pursuant to paragraph I.***

22 Department of Justice; Compliance with Nonparticipating Manufacturer Adjustment Settlement Agreement. Amend RSA 21-J:14, XII to read as follows:

XII. Department records, files, or information obtained by the commissioner or other department employee under the provisions of RSA 78, RSA 541-C, or RSA 541-D may be disclosed to the attorney general, or designee, and other federal, state, or local agencies as provided under RSA 541-D:5, II. ***The attorney general or designee may further disclose such records, files, or information pursuant to an agreement with an entity designated to serve as a data clearinghouse in accordance with the terms of the Nonparticipating Manufacturer Adjustment Settlement Agreement. The Nonparticipating Manufacturer Adjustment Settlement Agreement means, for purposes of this paragraph, the settlement agreement between the state of New Hampshire and the participating manufacturers, as primarily set forth in the term sheet dated November 14, 2012 and approved by the general court in 2013, 6.***

23 Judicial Appointments; Number Limited; Vacancies.

I. Except as provided in paragraph II, for the biennium ending June 30, 2017, 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, 2017, the filling of a marital master position by a judge shall increase the authorized number of circuit court judges allowed under paragraph I for each position so filled.

24 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, 2017, 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.

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

V. The community college system of New Hampshire shall remit to the state on a monthly basis the cost of retiree health care benefits for employees who have retired on or after July 1, 2011. The amount due shall be based on current enrollment for that month and the working rate for the calendar year. Invoices from the department of administrative services shall contain retiree enrollment detail in regards to the amount due. The department shall provide the community college system an anticipated budget each biennium as part of the retiree health budget process.

26 Fish and Game Department; Rulemaking; Fees. Amend RSA 206:10, I as follows:

I. It shall be the duty of the executive director to function as the chief administrator of the commission and to protect, propagate and preserve the fish, game, and wildlife resources of the state and to protect and conserve nongame birds of the state. The executive director shall, subject to the limitations hereinafter set forth, have the power and authority to adopt and enforce rules, pursuant to RSA 541-A, for the adequate and effective control, management, restoration, conservation, and regulation of the fish, game, bird, and wildlife resources of the state, including rules designed to prohibit or otherwise regulate nonagricultural activities which may cause the introduction or spread of infectious disease in the state's wildlife resources. Such power and authority shall include: ***(a) the right, after consultation with the commission, to set and charge fees adopted pursuant to RSA 541-A, (b) the right to open and close the season for taking fish, game, birds, and wildlife, (c) the right to fix the size, number and weight limits, and other conditions governing the method and manner of taking the same.*** Such power and authority may be exercised with reference to the state as a whole, or for any specified county or part thereof, or for any lake, pond, stream, or part thereof.

27 Fish and Game; Crossbow Permit; Disability; Administrative Fee. Amend RSA 207:10-c, V, to read as follows:

V. [A \$10] **An** administrative fee **set by the executive director pursuant to RSA 206:10, I** shall be charged once, upon application to the executive director for such permit.

28 Fish and Game; Dog Training; Fee. Amend RSA 207:12-a, I to read as follows:

I. Any person who is licensed to hunt within the state may be issued a training permit for the training of bird dogs and trail or tree hounds during the closed season on any wildlife, except deer, moose, caribou, elk, lynx, cougar, bobcat, and turkey, upon application and the payment of a fee [of \$5]. The executive director shall adopt rules pursuant to RSA 541-A, relative to the **amount of the fee for the training permit and the** period for the training of bear dogs. Notwithstanding the provisions of this paragraph, field trials shall be permitted pursuant to RSA 207:13.

29 Fish and Game; Field Trials. Amend RSA 207:13, I to read as follows:

I. Field trials for dogs may be held at such times, in such manner, and under such restrictions, as may be prescribed by the executive director. Any person wishing to hold a field trial shall first obtain a written permit from the person on whose land it is proposed to hold the trial, present the same to the executive director, and pay a fee [of \$9.50] **set by the executive director pursuant to RSA 206:10, I**, including field trials for coon dogs and such night hunts for coon dogs as authorized by paragraph II. The executive director may thereupon issue a permit for such field trial. The executive director or his duly authorized agent shall supervise the holding of such field trial, enforce the terms of the permits, and the rules for its conduct. The executive director shall adopt rules under RSA 541-A for the conduct of field trials as in his **or her** opinion are necessary to safeguard the interest of the wildlife of the state, provided that the executive director shall issue permits for beagle trials to any beagle club recognized by the American Kennel Club for trials to be run under the rules and regulations of the American Kennel Club. The fee for this permit shall [not exceed \$9.50] **be set by the executive director pursuant to RSA 206:10, I**. The executive director or his **or her** authorized agent shall enforce the terms of such permits.

30 Fish and Game; Bow and Arrow; License Fee. RSA 208:5, I is repealed and reenacted to read as follows:

I. The executive director shall set the fee pursuant to RSA 206:10, I, for issuance of archery licenses for the following categories: residents 16 years of age or older and nonresidents 16 years of age or older.

31 Fish and Game; Muzzleloaders. Amend RSA 208:5-a to read as follows:

208:5-a Muzzleloaders. A person who has complied with the licensing requirements relative to hunting deer pursuant to RSA 214, [~~upon payment of a fee of \$15 by residents or a fee of \$40 by non-residents,~~] shall be issued a license, **upon payment of a fee set by the executive director pursuant to RSA 206:10, I, for the following categories: residents 16 years of age or older and nonresidents 16 years of age or older.** A muzzleloading license shall not be required for residents less than 16 years of age, but such person while hunting with a muzzleloading firearm shall be accompanied by a properly licensed person who is 18 years of age or over and must also comply with all provisions of this chapter. The license shall entitle the holder to hunt deer with a single shot muzzleloading firearm.

32 Fish and Game; Special Deer Permits. Amend RSA 208:5-b to read as follows:

208:5-b Special Deer Permits. The executive director may issue special deer permits to a person licensed with the applicable license to hunt issued under RSA 214, or RSA 208:5 or [5-a] **208:5-a**. The executive director shall adopt rules pursuant to RSA 541-A relative to fixing the number and sex limitations for wild deer and any other conditions governing the location, method, and manner of taking as well as the issuance and fee for special deer permits. [~~The executive director may charge a fee not to exceed \$15 for all applications for special deer permits.~~]

33 Fish and Game; Black Bears. Amend RSA 208:24, II to read as follows:

II. No person shall take wild black bears in this state without first procuring a bear license and tag in addition to the applicable license to hunt issued pursuant to RSA 214 or RSA 208:5. The cost of the bear license and tag, **for both residents and nonresidents**, shall be [~~\$15 for residents and \$47 for non-residents~~] **set by the executive director pursuant to RSA 206:10, I**.

34 Fish and Game; Fishing Tournaments. Amend RSA 211:16-b to read as follows:

211:16-b Fishing Tournaments.

I. No person shall promote or operate any fishing tournament in the waters under the jurisdiction of this state without first procuring a special permit from the executive director to do so. [~~The fee for a permit issued under this section is \$25.~~]

II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to definitions, **fees**, conditions, requirements for waivers, including waivers of the fee, qualifications, and all other criteria relating to the operation of a fishing tournament on any waters of the state.

35 Fish and Game; Lobster and Crab. Amend RSA 211:18, III-a to read as follows:

III-a. The [following fees shall apply to lobster and crab license] **executive director shall set the fee pursuant to RSA 206:10, I for the following lobster and crab license types** issued under this section:

- (a) Resident commercial lobster and crab license[; ~~\$300~~].
- (b) Nonresident commercial lobster and crab license[; ~~\$600~~].
- (c) Resident limited commercial lobster and crab license[; ~~\$175~~].
- (d) Nonresident limited commercial lobster and crab license[; ~~\$350~~].
- (e) Resident part-time commercial lobster and crab license[; ~~\$103~~].
- (f) Nonresident part-time commercial lobster and crab license[; ~~\$350~~].
- (g) Recreational lobster and crab license[; ~~\$35~~].

36 Fish and Game; Lobster Helper's License. Amend RSA 211:20 to read as follows:

211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a helper's license which entitles the person to have the help of a person in the taking of lobsters or crabs. The helper's license may be transferred to any one helper employed by the licensee, but may not be transferred to a person who previously had a lobster license which is under suspension. A helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and crabs only in the presence of and aboard the boat of a person licensed under the provisions of RSA 211:18, and who holds a valid helper's license. ~~[The fee for a helper's license is \$10.]~~ The executive director shall adopt rules pursuant to RSA 541-A relative to the **fee for a helper's license and the** terms and restrictions of a helper's license to comply with lobster trap limits established under the Atlantic States Marine Fisheries Commission management plan for American lobster relative to reduced fishing effort.

37 Fish and Game; Lobster Retail Dealer. RSA 211:39, II through IV are repealed and reenacted to read as follows:

II. The executive director shall set the fee pursuant to RSA 206:10, I, for retail dealer licenses issued under this section.

38 Fish and Game; Nonresident Commercial Salt Water License. Amend RSA 211:49-a, II to read as follows:

II. The fee for an annual license shall be ~~[\$500]~~ **set by the executive director pursuant to RSA 206:10, I**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops by diving.

39 Fish and Game; Nonresident Wholesaler License. Amend RSA 211:49-aa, I, to read as follows:

I. Any person, firm, or corporation who does not qualify as a resident under RSA 207:1 or RSA 211:43 and who is engaged in a wholesale trade in any marine species shall first procure a valid license from the executive director to do so in this state. The license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A nonresident wholesale license shall not be required by a person properly licensed pursuant to RSA 211:49-a. The ~~[fee]~~ **fees** for an annual license ~~[shall be \$200 and \$75]~~ **and for each extra facility license shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license shall be carried in each vehicle and displayed at all facilities.

40 Fish and Game; Resident Commercial Salt Water License. Amend RSA 211:49-b, II to read as follows:

II. The fee for such annual license shall be ~~[\$50]~~ **set by the executive director pursuant to RSA 206:10, I**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops by diving.

41 Fish and Game; Resident Wholesaler License. Amend RSA 211:49-c, I to read as follows:

I. Any person, firm, or corporation engaged in a wholesale trade in any marine species shall first procure from the executive director a license to do so. Said license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A resident wholesaler license shall not be required by a person properly licensed pursuant to RSA 211:49-b. The ~~[fee]~~ **fees** for an annual license ~~[shall be \$100 and \$50]~~ **and for each extra facility license shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license shall be carried in each vehicle and displayed at all facilities.

42 Fish and Game; Landing License. Amend RSA 211:49-d to read as follows:

211:49-d Landing License; Lobster and Crabs. Any person who is not licensed under RSA 211:18, RSA 211:49-a, or RSA 211:49-b and wishes to transport in state waters lobsters and crabs taken outside the jurisdiction of the state via ship, vessel, or similar craft in state waters for the purposes of landing the lobsters and crabs in the state must first procure a landing license. This shall allow the licensee to sell lobster and crab landed under such person's license. The fee for ~~[an]~~ annual ~~[license]~~ **licenses** ~~[shall be \$50 for a resident and \$500 for any persons who does not qualify as a residents under RSA 207:1]~~ **for residents and nonresidents shall be set by the executive director pursuant to RSA 206:10, I**.

43 Fish and Game; Commercial Shrimp License. Amend RSA 211:49-e, II and III to read as follows:

II. The ~~[fee]~~ **fees** for the northern shrimp ~~[license]~~ **resident and nonresident licenses** shall be ~~[\$100 for residents]~~ **set by the executive director pursuant to RSA 206:10, I**.

III. ~~[The fee for the northern shrimp license shall be \$500 for nonresidents.]~~ A nonresident shall not be eligible to obtain a commercial shrimp license unless the state in which such person is a resident provides a reciprocal licensing privilege for residents of this state.

44 Fish and Game; Oyster License. Amend RSA 211:62-a to read as follows:

211:62-a License for Taking. No person shall at any time take oysters unless the person is a resident of the state and has been duly licensed as provided in this section. Any resident of this state shall, upon application to the executive director of the fish and game department, be granted a license to take oysters upon payment of a fee [of \$29] **set by the executive director pursuant to RSA 206:10, I.** Such license shall be issued for the current calendar year. The executive director of the fish and game department shall make readily available such licenses as are covered by this section through its regular outlets. A person who furnishes to another person or permits another person to have or use the person's oyster license or the license of any other person, or changes or alters such license or uses a license issued to another person, or makes a false statement in an application to obtain said license shall be subjected to the penalty under RSA 211:64.

45 Fish and Game; Clams in Coastal Waters. Amend RSA 211:62-d to read as follows:

211:62-d Clams in Coastal Waters. No one other than an individual natural person who is a bona fide resident of the state, and who has obtained a [\$300] commercial clamming license, may at any time commercially harvest or take the following from ocean waters within the jurisdiction of the state, black clams (*Cyprina islandica*), sea clams (*Spisula solidissima*), and razor clams (*Ensis directus*). No such person authorized by this section to take such clams may take more than 500 bushels of unshucked clams daily. **The fee for a commercial clamming license shall be set by the executive director pursuant to RSA 206:10, I.**

46 Fish and Game; Recreational Taking of Clams. Amend RSA 211:64-b to read as follows:

211:64-b License for Recreational Taking of Clams. No person shall at any time take clams for such person's own use unless the person is a resident of the state and has been duly licensed as provided in this section. Any person 6 years of age or older shall, upon application to the executive director of the fish and game department, be granted a license to take clams for recreational purposes upon payment of a fee [of \$29] **set by the executive director pursuant to RSA 206:10, I.** Such license shall be issued for the current calendar year. A resident of the state may take up to one quart of clamworms during any one day for such person's own use without a license. A person who furnishes to another person or permits another person to have or use the person's recreational clam license or the license of any other person, or changes or alters such license or uses a license issued to another person, or makes a false statement in an application to obtain said license shall be subjected to the penalty under RSA 211:64.

47 Fish and Game; Sale of Venison. Amend RSA 212:30-d, III to read as follows:

III. Resident and nonresident wholesalers who wish to sell imported venison in this state as permitted in paragraph I shall procure a wholesaler's license from the department of fish and game to do so, the fee for which shall be [\$50] **set by the executive director pursuant to RSA 206:10, I.** Said license shall expire on December 31 of each calendar year. Wholesalers shall provide bills of sale in duplicate, one copy of which shall be given to the retail seller, and the other copy of which shall be retained as a file copy by the wholesaler and shall be available for inspection by any agent of the executive director.

48 Fish and Game; License Fees. Amend RSA 214:8 to read as follows:

214:8 Form; **Fees.**

I. The executive director shall prepare licenses, game tags, permits, stamps, and such other forms as determined necessary to comply with all licensing requirements of title XVIII. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of eyes, and residence of the licensee and such other information, including affidavits, as may be requested by the executive director. The license, to be valid, shall be countersigned by the licensee on the face of the license in the space provided.

II. The executive director shall set fees for the various license types described in RSA 214:9 pursuant to RSA 206:10, I.

49 Fish and Game; License Applications and Fees. Amend RSA 214:9 to read as follows:

214:9 Application[; Fees]. ~~[The]~~ **To obtain any of the following licenses, an** applicant shall fill out and subscribe ~~[to]~~ **on** a blank to be furnished by the executive director and pay the agent the ~~[following]~~ **license** fees, **established under RSA 214:8, II,** and the agent fee as provided in RSA 214-A:4:

I. ~~[If the applicant is a resident of this state and wishes to hunt, \$21, and the agent shall thereupon issue a]~~ Resident hunting license, which shall entitle the licensee to hunt, shoot, kill, or take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

II. ~~[If the applicant is a resident of this state and wishes to fish, \$33, and the agent shall thereupon issue a]~~ Resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, under the restrictions of this title.

II-a. ~~[Repealed.]~~

II-b. ~~[If the applicant is a resident of this state and wishes to fish for one day, \$8, and the agent shall thereupon issue a]~~ One-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for said time only, under the restrictions of this title.

III. ~~[If the applicant is a resident of this state and wishes to hunt and fish, \$44, and the agent shall thereupon issue a]~~ Resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

IV. ~~[If the applicant is a resident of this state and wishes to take fur-bearing animals and coyote by the use of traps, \$27.50, and the department shall thereupon issue a]~~ **Resident** trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

V. ~~[If the applicant is a resident under 16 years of age and wishes to take fur-bearing animals and coyote by the use of traps when not accompanied by a licensed trapper 18 years of age or over, \$5.50, and the agent shall thereupon issue a]~~ Resident minor's trapping license, which shall entitle the licensee **under 16 years of age** to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

VI. ~~[If the applicant is a nonresident, 16 years of age or older, and wishes to hunt, \$102, and the agent shall thereupon issue a]~~ Nonresident hunting license which shall entitle the licensee to hunt, shoot, kill, and take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

VI-a. ~~[If the applicant is a nonresident and wishes to hunt and fish, \$139, and the agent shall thereupon issue a]~~ Nonresident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

VII. ~~[Repealed.]~~

VII-a. ~~[If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, \$52, and the agent shall thereupon issue a]~~ Nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game **as defined in RSA 207:1, XXVI**; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VII-b. ~~[If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, for 3 consecutive days, \$24, and the agent shall thereupon issue a]~~ 3-day nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game **as defined in RSA 207:1, XXVI, for 3 consecutive days**; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VIII. ~~[If the applicant is a nonresident, 16 years of age or older, and wishes to take any species of freshwater fish, \$51, and the agent shall thereupon issue a]~~ Nonresident fishing license which shall entitle the licensee to kill, take, and transport all species of freshwater fish under the restrictions of this title~~[- provided that:-~~

(a) ~~[Repealed.]~~

(b) ~~If the applicant wishes to take said fish for 7 consecutive days, \$33, and the agent shall thereupon issue a 7-day nonresident fishing license for said time only under the restrictions of this title;-~~

(c) ~~If the applicant wishes to take said fish for 3 consecutive days, \$26, and the agent shall thereupon issue a 3-day nonresident fishing license for said time only under the restrictions of this title; and-~~

(d) ~~[Repealed.]~~

(e) ~~If the applicant wishes to take said fish for one day, \$13, and the agent shall thereupon issue a one-day nonresident fishing license for said time only under the restrictions of this title].~~

VIII-a. ~~[Repealed.]~~

VIII-b. ~~[Repealed.]~~

VIII-c. 7-day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for 7 consecutive days, under the restrictions of this title.

VIII-d. 3-day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for 3 consecutive days, under the restrictions of this title.

VIII-e. One day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for one day, under the restrictions of this title.

IX. ~~[If the applicant is a nonresident and wishes to take fur-bearing animals and coyotes by the use of traps, the nonresident shall pay \$300.]~~ **Nonresident trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.** If the applicant's state or province does not permit nonresident trappers, said applicant shall be denied a nonresident license in this state.

X.(a) ~~[If the applicant wishes to hunt pheasants, the agent shall thereupon issue a]~~ Pheasant license or stamp which shall entitle the licensee to hunt, shoot, kill, and take, except by the use of traps, pheasants during the open season.

(b) The fee for such license or stamp shall be ~~[determined by the executive director pursuant to RSA 541-A]~~ **set by the executive director pursuant to RSA 206:10, I.**

XI. ~~If the applicant is a resident and wishes to hunt wild turkeys, \$15, and if the applicant is a nonresident and wishes to hunt wild turkeys, \$30, and the fish and game department shall thereupon issue a wild turkey license or permit~~ **Resident wild turkey license**, which shall entitle the licensee to hunt, shoot, kill, and take turkey, except by the use of traps.

XI-a. Nonresident wild turkey license, which shall entitle the licensee to hunt, shoot, kill, and take turkey, except by the use of traps.

XII. ~~If the applicant wishes to hunt migratory waterfowl, \$4.00, and the agent shall thereupon issue a state~~ Migratory waterfowl license which shall entitle the licensee to hunt, shoot, kill, and take migratory waterfowl during such time and in such manner and numbers as may be allowed under RSA 209:6.

XIII.(a) Any recognized summer camp or educational facility operated within the state may apply to the executive director of the fish and game department for a group fishing license that may be utilized by individual campers or students while participating in camp or school approved activities. The fee for the license ~~shall be \$25, and~~, the definitions, requirements for participation, and criteria for obtaining the license shall be determined by the executive director pursuant to rules adopted under RSA 541-A.

(b) [Repealed.]

XIV. [Repealed.]

XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild birds, ~~[\$2.50] a fee set by the executive director pursuant to RSA 206:10, I~~, and the agent shall thereupon issue a wildlife habitat stamp or license as provided in RSA 214:1-f. For any year in which a stamp is issued, the agent shall be entitled to retain ~~[\$.50] a portion~~ of the ~~[\$2.50] fee as set by the executive director pursuant to RSA 206:10, I~~ for each wildlife habitat stamp sold and all stamps sold at the department headquarters or any subagency thereof shall retain the same ~~[\$.50] portion of the~~ fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife habitat license issued pursuant to RSA 214:1-f.

XVI.(a) ~~If the applicant is 16 years of age or older and wishes to take, possess, or transport finfish from coastal and estuarine waters under the restrictions of this title, the applicant shall pay the fee according to the schedule in subparagraph (c), and the agent shall thereupon issue a~~ Recreational saltwater license which shall entitle the licensee, **16 years of age or older**, to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title, provided that any person participating in a recreational saltwater fishing opportunity on a for-hire vessel, which is licensed under subparagraph (b), shall be exempt from the license requirement of this subparagraph.

(b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine waters, shall pay a fee, **set by the executive director pursuant to RSA 206:10, I**, for each charter boat and each party boat ~~[according to the schedule in subparagraph (c)]~~ which shall entitle the owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title.

(c) A nonresident holding a valid recreational saltwater license or a for-hire charter or party boat saltwater license from Maine or Massachusetts, shall be allowed to take, possess, or transport finfish from New Hampshire coastal and estuarine waters, provided that the state in which such person purchased a recreational saltwater license or in which the for-hire vessel is registered allows an angler with a New Hampshire recreational saltwater license or a saltwater for-hire vessel with a for-hire license from New Hampshire to recreationally take, possess, or transport finfish in that state's coastal and estuarine waters.

(d) In this paragraph:

(1) "Coastal and estuarine waters" means all waters within the rise and fall of the tide, and water below any fishway or dam which is normally the dividing line between tide water and fresh water, or below any tidal bound which has been legally established in streams flowing into the sea under the jurisdiction of the state.

(2) "For-hire vessel" means a party boat, charter boat, dive boat, head boat, or other boat hired by persons to engage in recreational saltwater fishing opportunities.

(3) "Recreational saltwater fishing" means taking of any marine finfish, by any means for personal use only and which are not sold.

(4) "Charter boat" means a vessel less than 100 gross tons (90.8 metric tons) that meets the requirements of the U.S. Coast Guard to carry 6 or fewer passengers for hire.

(5) "Party boat" or "head boat" means a vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for hire.

(e) ~~The following fees shall apply:-~~

(1) ~~\$10 for resident and nonresident individuals.~~

(2) ~~\$50 for charter boats and other for-hire vessels, except party boats.~~

(3) ~~\$100 for party boats.~~

(f) The executive director shall adopt rules under RSA 541-A on the further definitions, criteria, and requirements for obtaining the licenses under this paragraph.

50 Fish and Game; Fur Buyers. Amend RSA 214:25 to read as follows:

214:25 Applications; Fees. The applicant, whether a resident or nonresident, shall fill out and sign a blank to be furnished by the executive director and pay ~~the applicable~~ **a** license fee **set by the executive director pursuant to RSA 206:10, I**. The executive director shall thereupon issue a fur buyer's license which shall entitle the licensee to buy and sell the furs and skins of deer, coyotes, and fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of this title. The executive director shall grant such licenses for the entire state upon the payment of [a] **the applicable license** fee ~~[of \$50 for residents or upon the payment of a fee of \$150 for nonresidents]~~.

51 Fish and Game; Taxidermy. Amend RSA 214:29-a to read as follows:

214:29-a Taxidermy. The executive director may grant licenses which may be revoked or suspended at any time to any person desiring to practice taxidermy, as defined under general provisions, RSA 207:1, XXVII-a. ~~[The fee for a taxidermy permit shall be \$50, and]~~ The executive director shall adopt rules under RSA 541-A relative to the **fee for a taxidermy permit, and the** conditions, qualifications, and other criteria under which a taxidermy permit shall be granted.

52 Fish and Game; Freshwater Bait. Amend RSA 214:34 to read as follows:

214:34 Licenses Required.

I. No person shall take, sell, or offer to sell live fish for bait without first procuring a license to do so.

II. The applicant shall complete the prescribed application form furnished by the executive director and pay the ~~[following]~~ appropriate **license** fee in addition to the \$1 agent's fee as provided in RSA 214-A:4:

(a) ~~If the applicant is a retailer, he shall pay a fee of \$25.~~

(b) ~~If a resident applicant wishes to sell at retail and wholesale, he shall pay a fee of \$75.~~

(c) ~~If a nonresident applicant wishes to sell at retail, he shall pay a fee of \$50.~~

(d) ~~If a nonresident applicant wishes to sell at wholesale, he shall pay a fee of \$150.~~

III. Fees for the following license types shall be set by the executive director pursuant to RSA 206:10, I:

(a) **Retail.**

(b) **Resident retail and wholesale.**

(c) **Nonresident retail.**

(d) **Nonresident wholesale.**

53 Fish and Game; Importing Bait. Amend RSA 214:34-d to read as follows:

214:34-d Permit to Import. No fish of any description shall be brought into this state for use as bait without first procuring a permit from the executive director. Such permit shall be valid for no longer than one year but no additional permit shall be required within that period of time to import the same species of fish from the same source of supply. Five days' notification of each intent to import shall be filed with the executive director. ~~[The fee for each such permit is \$9.50.]~~ **The executive director shall set the fee for such permits pursuant to RSA 206:10, I.**

54 Fish and Game; Guide License. RSA 215:4 is repealed and reenacted to read as follows:

215:4 Fee for License. The executive director shall set the fees for resident and nonresident licenses to guide under this chapter pursuant to RSA 206:10, I.

55 Fish and Game; Guides. Amend RSA 215:5, II to read as follows:

II. **Notwithstanding RSA 215:4**, every resident 65 years of age or older who has been a licensed guide in this state for 5 or more years may obtain a license as a guide to fish or to hunt ~~[not by payment of the fees prescribed in RSA 215:4, I and II but rather]~~ by payment of only the cost of issuing said license as determined by the executive director.

56 Fish and Game Department; Licenses for Persons Over 65. RSA 214:7-a is repealed and reenacted to read as follows:

214:7-a Persons Over 68 Years of Age.

I. Any resident of this state who is 68 years of age or over may make application each year, to any authorized agent of the state for the sale of freshwater fishing, hunting, or trapping licenses, for a special license to fish in freshwaters and hunt or trap, under the restrictions of this title. Such license may permit the use of a muzzle-loading firearm and bow and arrow. The executive director shall set the annual fee for the special license established in this section by rule pursuant to RSA 206:10, I. Said fee shall not exceed 50 percent of the regular resident license fee for fishing in freshwaters, hunting, or trapping. The license shall be marked in such manner as the executive director may designate.

II. Those individuals holding a special license under this section as of June 30, 2015 shall be exempt from the requirement to apply for said license annually. The special license held by these individuals shall remain effective for the remainder of each individual's life, as long as the individual remains a resident of the state, unless suspended or revoked by the executive director.

57 New Section; Fish and Game Department; Environmental Review Fees. Amend RSA 206 by inserting after section 33-e the following new section:

206:33-f Environmental Review Fees.

I. The executive director may charge a fee for the review of proposed projects which may adversely impact wildlife, including threatened or endangered species of wildlife, if such review is requested by a project developer, either public or private, regardless of whether such request is received before or after an application is submitted to any permitting agency.

II. The fees established by this section shall be designed to recover a reasonable portion of the costs of:

(a) Reviewing, assessing, and monitoring the impacts to wildlife of a proposed project;

(b) Reviewing and assessing research, sampling, or modeling protocols to be implemented either prior to or after the completion of a project; and

(c) Formulating recommendations designed to avoid, minimize, and/or mitigate any potential adverse impacts of a project on wildlife.

III. Fees shall be fixed in a schedule prepared and revised as necessary by the executive director, and established in rules adopted pursuant to RSA 541-A. Such schedule may differentiate among different classes of projects based on the intensity of the requisite review by the department.

IV. All moneys received under this section shall be deposited into the fish and game fund established under RSA 206:33 and used solely for the purposes set forth in RSA 206:34-a.

V. Receipt of the fees established by this section shall be a prerequisite for any environmental review undertaken by the department. Any permit or certificate dependent on the environmental review undertaken by the department shall be invalid until the fees assessed under this section are paid in full.

58 Forest Management and Protection Fund. Amend RSA 227-G:5, I(b) to read as follows:

(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be continually appropriated and expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the fund may be expended by the commissioner, with prior approval of the fiscal committee and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, ~~[the amount of which shall be the difference between the total receipts from the sale of timber within any fiscal year and \$150,000, the average annual stumpage receipt from the sale of timber from state forestlands for the period 1983-1992]~~ **less 13 percent which shall be deposited into the general fund.** Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

59 State Park Fund. RSA 216-A:3,-i II is repealed and reenacted to read as follows:

II. Any funds deposited into the state park account are hereby continually appropriated to and may be expended by the commissioner of the department of resources and economic development to cover budgeted appropriations provided the balance in the state park account does not go below \$1.5 million and any transfer is reported to the governor and council and fiscal committee of the general court within 60 days.

60 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, 2017. 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.

61 Department of Resources and Economic Development; Cannon Mountain. For each year of the biennium ending June 30, 2017, 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 credited to the Cannon Mountain capital improvement fund established in RSA 12-A:29-c for use in paying debt service related to capital improvements for the ski area and related state park facilities at Cannon Mountain.

62 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2017:

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.

63 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2017, 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; provided if a transfer does not include new accounting units or expenditure classes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court.

64 New Paragraph; Salt Applicators; Rulemaking. Amend RSA 489-C:3 by inserting after paragraph V the following new paragraph:

VI. Establishing and collecting fees to cover the cost of program implementation *with all fees collected to be deposited in the general fund.*

65 Veterans' Home; Reports. Amend RSA 119:13 to read as follows:

119:13 Reports. The board shall file with the secretary of state, the fiscal committee of the general court, and the commissioner of administrative services, on or before October 1 [~~and every 6 months thereafter~~], a report to the legislature, setting forth the operations and condition of the home, a detailed account of all monies received and expended on its behalf since the last report, an estimate of the amount of money required for its uses before the meeting of the next legislature, and such other matters and recommendations as they shall think its interests require.

66 New Paragraph; Department of Information Technology; Statewide Standards and Protocols. Amend RSA 21-R:4 by inserting after paragraph XVII the following new paragraph:

XVIII. Establishing as necessary, after consultation with the information technology council, established under RSA 21-R:6, statewide standards and protocols for information technology, networks, and cyber security, which shall be adhered to by all executive branch agencies unless granted a waiver.

67 Department of Information Technology; Purchasing Policy. RSA 21-R:8-a is repealed and reenacted to read as follows:

21-R:8-a Purchasing Policy.

I. The department shall, in collaboration with the department of administrative services, establish standards for computer hardware, software, related licenses, media, documentation, support and maintenance services, and other related services. Agencies may purchase directly using contracts established by administrative services without approval from the chief information officer, or designee, subject to any limitations established by the chief information officer.

II. Prior to an agency's issuance of a solicitation for the purchase of computer hardware, software, related licenses, media, documentation, support and maintenance services, and other related services including a request for proposal, request for purchase, or other procurement documentation, the agency shall consult with and seek approval from the department of information technology.

III. The department of information technology, in consultation with the information technology council, shall annually review and set dollar, or other, limits for purchases and contracts that require approval from the chief information officer before proceeding.

IV. For purposes of this section, "agency" shall have the meaning defined in RSA 21-I:11, II(b), but shall not include those agencies exempt under RSA 21-I:18 from the provisions of RSA 21-I.

68 Repeal. RSA 21-I:11, I(a)(9), relative to approval by the chief information officer, is repealed.

69 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2016 or June 30, 2017 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.

70 Continuation of Appropriation Regarding Emergency Management. The sums appropriated pursuant to 2011, 223:1 as amended by 2013, 144:118 in accounting unit 02-23-23-236010-2740, class 244, state match public assistance, shall not lapse until June 30, 2017.

71 Department of Safety; Assistant Commissioners.

I. Upon the appointment of the second assistant commissioner under RSA 21-P:5, I, position 9U539 shall be abolished to allow for the transition of this unclassified position with its available appropriations into the unclassified position of assistant commissioner. Funding shall be in expenditure class 013, within accounting unit 02-23-23-231015-2300. The incumbent in the abolished unclassified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of assistant commissioner.

II. Paragraph I shall take effect upon the abolition of position 9U539, the funding and appropriations of the unclassified position and the initial appointment of the second assistant commissioner, as certified by the commissioner of safety to the director of legislative services.

72 Department of Safety; Assistant Commissioners. Amend RSA 21-P:5, I and II, to read as follows:

I. The commissioner of safety shall nominate [~~an~~] **2** assistant [~~commissioner~~] **commissioners** for appointment by the governor, with the consent of the council. [~~The~~] **Each** assistant commissioner shall serve a term of 4 years, coincident with that of the commissioner, and may be reappointed. The assistant commissioner shall be qualified to hold that position by reason of education and experience.

II. [~~The~~] **Each** assistant commissioner shall perform such duties as are assigned by the commissioner. [~~The~~] **Either** assistant commissioner shall assume the duties of the commissioner in the event that the com-

missioner is unable for any reason to perform such duties. The assistant commissioner shall be responsible for the operations of the bureau of hearings, and 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 department in an effective manner.

73 New Chapter; Office of Substance Use Disorders and Behavioral Health. Amend RSA by inserting after chapter 12-N the following new chapter:

CHAPTER 12-O

OFFICE OF SUBSTANCE USE DISORDERS AND BEHAVIORAL HEALTH

12-O:1 Establishment; General Duties and Responsibilities.

I. There is established the office of substance use disorder and behavioral health within the office of the governor. The office of substance use disorder and behavioral health shall be under the supervision and direction of the governor or the governor's designee. The governor's designee shall be known as the senior director of the office of substance use disorder and behavioral health, and shall be appointed for a fixed term.

II. The office of substance use disorder and behavioral health shall:

(a) Coordinate state resources, state agency spending and budget proposals in the areas of mental health and substance abuse prevention and treatment.

(b) Propose solutions to the governor to reduce unnecessary duplication of state efforts and resources.

(c) Identify evidence-based treatment practices for substance use disorder services and work with state agencies to ensure quality delivery of such services.

(d) Encourage the coordination and correlation of state planning by agencies of state government.

(e) Participate in interstate, regional, and national planning efforts.

(f) Lead grant application efforts that assist in the state's efforts to address substance use disorders and other behavioral health challenges.

(g) Identify barriers to and gaps in New Hampshire's system of care.

(h) Serve as the governor's liaison to the governor's commission on alcohol, substance abuse prevention, treatment and recovery established in RSA 12-J:1.

(i) Perform such other duties as the governor may assign.

III. All state agencies and departments shall provide the office of substance use disorder and behavioral health such information and assistance as required by the office to fulfill its responsibilities. The office shall maintain the confidentiality of any information which is protected by law.

12-O:2 Coordination.

I. The office of substance use disorder and behavioral health shall formulate policies and plans for consideration by the governor which serve to integrate and coordinate resource and development activities affecting more than one state agency, level of government, or governmental function. Nothing in this paragraph shall be construed to grant the governor any additional authority to implement such plans beyond that which has been granted to him or her under the constitution and other laws of this state.

II. The senior director of substance abuse and mental health shall serve on the governor's commission on alcohol and substance abuse prevention, treatment and recovery.

74 New Paragraph; Governor's Commission on Alcohol and Substance Abuse Prevention, Treatment and Recovery; Membership. Amend RSA 12-J:1 by inserting after paragraph IV the following new subparagraph:

V. The senior director of the office of substance use disorder and behavioral health, or designee shall serve as the governor's liaison to the commission.

75 New Section; Departments; Electronic Credit Card Payments; Authorization to Administer. Amend RSA 21-G by inserting after section 6 the following new section:

21-G:6-a Electronic Credit Card Payments; Authorization to Administer. Notwithstanding other provision of law to the contrary, the head of any state agency or department and any authorized employee or agent of the head, may accept credit cards or debit cards for the online payment of any of the taxes, penalties, interest, or fees administered by such commissioner or collected by the department. The amount of any service charge collected shall be disclosed in advance of the transaction to the individual paying the tax, penalty or fee and shall be at a reasonable and customary rate approved in advance by the comptroller.

76 Filling Unfunded Positions; Authorization. Notwithstanding other provisions of law to the contrary, the head of any state agency or department may fill unfunded positions during the biennium ending June 30, 2017, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

77 Insect Pests and Plant Diseases; Pesticide Product Registration. RSA 430:38, III is repealed and reenacted to read as follows:

III.(a) The registrant shall pay an annual fee for each pesticide registered as follows:

(1) A restricted use pesticide.

(2) A general use pesticide, other than a specialty/household pesticide.

(b) The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the amount of the fees charged under subparagraph (a). Until such rules are adopted, the fees under subparagraph (a) shall be the same as the fees which were in effect on June 30, 2015.

78 Insect Pests and Plant Diseases; Integrated Pest Management Program. Amend RSA 430:50, II to read as follows:

II. There is established a nonlapsing fund to be known as the integrated pest management fund. [Ten] **Twenty-five** percent of the pesticide registration fees collected under RSA 430:38, III shall be deposited in the fund. The fund shall only be used to support the purposes of the integrated pest management program. The state treasurer may invest moneys in the fund as provided by law and all interest received on such investment shall be credited to the fund. The commissioner shall be authorized to accept grants, gifts, and donations from any public or private sources for deposit in the fund.

79 New Paragraph; Governor's Commission on Disability; Committee on Architectural Barrier-Free Design; Waivers. Amend RSA 275-C:15 by inserting after paragraph V the following new paragraph:

VI. Charge a non-refundable fee for any application for waiver request submitted under paragraph IV or V, which shall be payable to the governor's commission on disability. Each application for waiver request shall contain no more than 2 items to be reviewed for waiver. All fees shall be paid in advance with the application for waiver request. Any building or facility, as defined in RSA 275-C:10 II, shall not be subject to an application fee but shall file an application for waiver request as provided in this section.

80 New Paragraph; Governor's Commission on Disability; Rulemaking. Amend RSA 275-C:6 by inserting after paragraph VII the following new paragraph:

VIII. To adopt rules, pursuant to RSA 541-A, relative to:

- (a) The application procedure for waiver requests.
- (b) Information required on an application for waiver request.
- (c) The fee for an application for waiver request.
- (d) Other matters related to the administration of applications for waiver requests.

81 Governor's Commission on Disability; Application for Waiver Process. Amend RSA 275-C:15, IV to read as follows:

IV. Except as provided in paragraph V, grant waivers to an owner, an owner's agent or a lessee-in-possession, **pertaining only to places of public accommodation provided for in RSA 155:39-a**, from specific requirements of the code for barrier-free design where, upon a clear and convincing showing, a compelling public interest is deemed to outweigh the state's interest in removing architectural barriers.

82 Repeal. 1899, 42, relative to the payment of a fee to university system of New Hampshire, is repealed.

83 Department of Revenue Administration; Administration and Enforcement Fee. Amend RSA 72-B:16 to read as follows:

72-B:16 Administration and Enforcement Fee. There shall be an administration and enforcement fee of \$100 for each original notice of intent to excavate filed with the department. Such fee shall accompany the original intent to excavate and shall be deposited into ~~[a revolving fund within the department to be used by the department for the administration and enforcement of this chapter and for the education of municipal officials regarding the chapter. It also may be used to educate state personnel responsible for the administration and enforcement of this chapter]~~ **the general fund**.

84 Tax Amnesty. Notwithstanding the provisions of any other law, with respect to taxes administered and collected by the department of revenue administration, an amnesty from the assessment or payment of all penalties and interest in excess of 50 percent of the applicable interest rate for the tax period shall apply with respect to unpaid taxes reported and paid in full during the period from December 1, 2015 through and including February 15, 2016, regardless of whether previously assessed. This amnesty shall only apply to taxes due but unpaid on or February 15, 2016.

85 Mandatory Penalties. On or after March 1, 2016, notwithstanding the provisions of any other law, the department or any administrative tribunal or court with jurisdiction, either in law or equity, shall have no discretion to waive, abate, reduce or remit, for good cause or any other reason, any penalties assessed with respect to taxes administered by the department, which taxes were due before December 1, 2015.

86 Appropriation. The sum of \$50,000 is hereby appropriated to the department of revenue administration for the fiscal year ending June 30, 2016 to the following account for the purposes of outreach and other administration necessary for the implementation of the tax amnesty program: 01-084-8405-7884-102 contracts for program services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

87 Office of Energy and Planning; Establishment; General Duties and Responsibilities. Amend RSA 4-C:1, II to read as follows:

II. The office of energy and planning shall, **within the limits of resources of the agency**:

- (a) [Plan] **Participate in planning** for the orderly development of the state and the wise management of the state's resources.
- (b) Compile, analyze, and disseminate data, information, and research services as necessary to advance the welfare of the state.
- (c) Encourage and assist planning, growth management, and development activities of cities and towns and groups of cities and towns with the purpose of encouraging smart growth.

(d) Encourage the coordination and correlation of state planning by agencies of state government.

(e) Participate in interstate, regional, and national planning efforts.

(f) Administer federal and state grant-in-aid programs assigned to the office by statute or executive order.

(g) Participate and advise in matters of land use planning regarding ~~[water resources and]~~ floodplain management.

(h) ~~[Take a leadership role in encouraging]~~ **Encourage** smart growth and ~~[preserving]~~ **the preservation of** farmland, open space land, and traditional village centers.

(i) Administer the following programs: ~~[the statewide comprehensive outdoor recreation plan,]~~ the national flood insurance program, ~~[the land conservation investment program,]~~ fuel assistance contracts, and weatherization contracts. The office shall employ necessary personnel to administer these programs. In administering fuel assistance and weatherization contracts, the office shall ensure that when an individual applies for fuel assistance or weatherization, the individual shall be provided with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, and shall be provided assistance in applying for these programs.

(j) Perform such other duties as the governor may assign.

88 Repeal. The following are repealed:

I. RSA 4-C:2, relative to office of energy and planning, state development plan.

II. RSA 4-C:3, relative to office of energy and planning, data and information services.

III. RSA 4-C:5, relative to office of energy and planning, rulemaking authority.

IV. RSA 4-C:6, relative to office of energy and planning, coordination.

V. RSA 4-C:8, III and IV, relative to office of energy and planning, responsibilities for assistance.

89 Office of Energy and Planning; Regional and Municipal Assistance; Program Established. Amend RSA 4-C:7 to read as follows:

4-C:7 Program Established. The director shall establish a program of regional and municipal assistance within the office of energy and planning. This program shall coordinate state, regional, and local planning efforts with the goal of ~~[assuring]~~ **promoting** delivery of efficient and effective assistance to local governments in areas related to growth management and resource protection.

90 Office of Energy and Planning; Responsibilities for Assistance. Amend RSA 4-C:8, I(c) to read as follows:

(c) Contributions to and coordination with statewide planning and management activities~~[-including the formulation and updating of the comprehensive state development plan prepared pursuant to RSA 4-C:2].~~

91 New Section; Fish and Game; Propagation of Fish and Game; Use of Lands. Amend RSA 212 by inserting after section 10-b the following new section:

212:10-c Conservation Easements. The executive director may monitor conservation easements and fee-owned conservation lands held by the state or by other entities. The executive director may accept funds and enter into agreements, contracts, or memoranda of understanding with the council on resources and development established under RSA 162-C:1, with other state agencies, or with other entities as necessary for the purpose of monitoring and overseeing conservation easements in this state.

92 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25 to read as follows:

78-A:25 Population Figures.

I. The ~~[office of energy and planning]~~ **department of employment security** is hereby directed to estimate annually the resident population for all cities and towns of the state as of July 1 of the preceding year and shall certify the same to the state treasurer on or before August 19 of each year.

II. For this section only the definition of resident, and therefore those persons who are to be included in estimate figures, will be the same as that adopted by the United States bureau of the census.

III. On or before April 30 of each year, the ~~[office of energy and planning]~~ **department of employment security** shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the ~~[office of energy and planning]~~ **department of employment security** on or before May 30 of the same year. After due consideration of such evidence, the ~~[director of energy and planning]~~ **commissioner of the department of employment security** shall determine the final components and resulting estimates.

IV. Municipalities dissatisfied with population estimates produced by the ~~[office of energy and planning]~~ **department of employment security** may, at their own expense, have a special census conducted under contract with the United States bureau of the census. The results of such a census shall serve as a basis for subsequent estimates made by the ~~[office of energy and planning]~~ **department of employment security** after said results are made available to the ~~[office of energy and planning]~~ **department of employment security**.

93 State Energy Strategy. Amend the introductory paragraph of RSA 4-E:1, I to read as follows:

I. The office of energy planning, in consultation with the state energy advisory council established in RSA 4-E:2, with assistance from an independent consultant and with input from the public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall review the strategy and consider

any necessary updates in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, after opportunity for public comment, at least every [3] **5** years starting in [2017] **2019 within the limits of resources provided to the office**. The state energy strategy shall include, but not be limited to, sections on the following:

94 Repeal. The following are repealed:

I. RSA 9-A:1 through 9-A:4, relative to state development plan.

II. RSA 9-B:5, relative to state economic growth resource protection, and planning policy; procedures for review.

III. RSA 9-B:6, relative to state economic growth, resource protection, and planning policy; report to the general court and the governor.

IV. RSA 162-C:2, IX through XII, relative to council on resources and development, responsibilities.

95 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, III to read as follows:

III. ~~[In preparing]~~ A comprehensive plan for the development of the region ~~[within its jurisdiction, each regional planning commission may use the framework for the state's comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan]~~ shall be updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption, the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region, and to the office of energy and planning. The regional planning commission shall address in writing all comments received prior to the publication of a final draft. A public hearing shall be held by the regional planning commission with 30 days' notice published in all newspapers of general circulation in the region, and shall state where the document can be viewed, the time and place of the public hearing, and shall allow for written comments. For each regional plan, the office of energy and planning shall offer comments as to its consistency with the state plan. The first regional development plans affected by this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at least every 5 years thereafter.

96 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, XII to read as follows:

XII. Facilitate coordination of state agencies to support local, regional, and state planning efforts ~~[consistent with RSA 9-A:1-4]~~.

97 Planning and Zoning; Enactment and Adoption Procedures; Place for Filing Documents; Reporting of Adoptions or Amendments. Amend RSA 675:9 to read as follows:

675:9 Place for Filing Documents; Reporting of Adoptions or Amendments. ~~[A copy of each master plan, zoning ordinance, historic district ordinance, capital improvement plan, building code, subdivision regulation, historic district regulation, site plan review regulation or amendment which is adopted by a municipality shall be placed in a central file with the office of energy and planning; provided, however, that failure to file these documents or amendments with the office of energy and planning shall not affect the validity of the document.]~~ Every municipality which adopts a master plan, zoning ordinance, historic district ordinance, capital improvement plan, building code, subdivision regulation or site plan review regulation or amendment thereto, shall inform the office of energy and planning of such adoption or amendment. The office of energy and planning is hereby authorized to gather this information by way of an annual survey of the municipalities or other such means as may be deemed appropriate. The office of energy and planning shall periodically create lists and reports of the information gathered for use by the municipalities and the general public.

98 Repeal. RSA 21-O:5-a, I(d), relative to wetlands council membership, is repealed.

99 Department of Environmental Services; Water Council. Amend RSA 21-O:7, I(b)(3) to read as follows:

(3) The director of parks and recreation, or designee; **and**

(4) ~~[The director of the office of energy and planning, or designee; and~~

(5)] The commissioner of safety, or designee.

100 Water Management and Protection; Rivers Management Advisory Committee; Establishment. Amend RSA 483:8, II to read as follows:

II. The ~~[director of the office of energy and planning, the]~~ executive director of the fish and game department, the commissioner of resources and economic development, the commissioner of the department of transportation, the commissioner of the department of safety, and the commissioner of the department of agriculture, markets, and food or their designees shall serve as nonvoting members of the committee.

101 Water Management and Protection; Lakes Management Advisory Committee. Amend RSA 483-A:6, III to read as follows:

III. The ~~[director of the office of energy and planning, the]~~ executive director of the fish and game department, the commissioner of resources and economic development, the commissioner of the department of safety, the commissioner of the department of agriculture, markets, and food, and the commissioner of the department of transportation, or their designees, shall serve as nonvoting members of the advisory committee.

102 Land Conservation Investment Program; Transfer of Personnel and Functions. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding of the land conservation investment program, including positions 42501 and 42502, shall be transferred to the

fish and game commission on July 1, 2015. The transfer provided in this section shall include all of the 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.

103 State Data Center; Transfer of Personnel and Functions. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding of the state data center, including position number 10014, shall be transferred to the department of employment security on July 1, 2015. The transfer provided in this section shall include 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.

104 New Paragraph; Labor; Unemployment Compensation; Administrative Organization and Administration. Amend RSA 282-A:113 by inserting after paragraph III the following new paragraph:

IV. The commissioner of the department of employment security, through the economic and labor market information bureau, shall annually estimate the resident population for all cities and towns of the state pursuant to RSA 78-A:25; shall gather and maintain demographic and economic statistics for statewide planning purposes; and shall cooperate with the Bureau of the Census and other federal agencies with the objective of improving access to the statistical products, data, and information of the federal government.

105 Chapter Heading; Joint Board; Office of Professional Licensure and Certification. Amend the chapter heading preceding RSA 310-A:1 to read as follows:

CHAPTER 310-A

~~[JOINT BOARD OF]~~ **OFFICE OF PROFESSIONAL** LICENSURE AND CERTIFICATION

106 Office of Professional Licensure and Certification. RSA 310-A:1 and 310-A:1-a are repealed and reenacted to read as follows:

310-A:1 Office of Professional Licensure and Certification; Purpose. The purpose of the office of professional licensure and certification is to promote efficiency and economy in the administration of the business processing, recordkeeping, and other administrative and clerical operations of professional licensing and certification boards, including both professional healthcare licensing and professional technical licensing. The individual licensing and certification boards that are organized under the office of professional licensure and certification have specialized knowledge and experience and are separate and distinct for the purpose of regulating their various professions. Notwithstanding the unique regulatory role of each board, the legislature finds that there are opportunities for improving efficiency and customer service by providing for the joint administration of the boards' administrative, clerical, business processing, and recordkeeping functions. Except as provided in this section, the licensing and certification boards and entities organized under the office of professional licensure and certification shall exercise the powers, duties, functions, and responsibilities granted by statute.

310-A:1-a Office of Professional Licensure and Certification; Division of Technical Professions and Division of Health Professions Established. There shall be an office of professional licensure and certification that shall consist of the division of technical professions and the division of health professions.

I. The division of technical professions shall consist of each of the boards, councils, and commissions of:

- (a) Professional engineers under RSA 310-A:3.
- (b) Architects under RSA 310-A:29.
- (c) Land surveyors under RSA 310-A:55.
- (d) Natural scientists under RSA 310-A:81.
- (e) Foresters under RSA 310-A:100.
- (f) Professional geologists under RSA 310-A:120.
- (g) Landscape architects under RSA 310-A:142.
- (h) Court reporters under RSA 310-A:163.
- (i) Home inspectors under RSA 310-A:186.
- (j) Accountants under RSA 309-B:4.
- (k) Manufactured housing installers under RSA 205-D:2.
- (l) Real estate appraisers under RSA 310-B:4.
- (m) Electricians under RSA 319-C:4.
- (n) Board of manufactured housing under RSA 205-A:25.
- (o) Guardians ad litem under RSA 490-C:1.
- (p) Family mediators under RSA 328-C:4.
- (q) Real estate commission under RSA 331-A:5.

II. The division of health professions shall consist of each of the boards, councils, and commissions of:

- (a) Hearing care providers under RSA 137-F:3.
- (b) Examiners of nursing home administrators under RSA 151-A:3.

- (c) Podiatry under RSA 315:1.
- (d) Chiropractic examiners under RSA 316-A:2.
- (e) Dental examiners under RSA 317-A:2.
- (f) Registration of funeral directors and embalmers under RSA 325:2.
- (g) Midwifery council under RSA 326-D:3.
- (h) Licensed dietitians under RSA 326-H:7.
- (i) Optometry under RSA 327:2.
- (j) Naturopathic board of examiners under RSA 328-E:7.
- (k) Licensed allied health professionals under RSA 328-F:3.
- (l) Acupuncture licensing under RSA 328-G:3.
- (m) Psychologists under RSA 329-B:3.
- (n) Mental health practice under RSA 330-A:3.
- (o) Licensing for alcohol and other drug use professionals under RSA 330-C:3.
- (p) Electrologists under RSA 314:2-a.
- (q) Body art practitioners under RSA 314-A.
- (r) Ophthalmic dispensers under RSA 327-A:2.
- (s) Reflexology, structural integrators, and Asian bodywork therapists under RSA 328-H:6.
- (t) Massage therapists under RSA 328-B:5.
- (u) Medicine under RSA 329:2.
- (v) Nursing under RSA 326-B:3 and nursing assistant registry under RSA 326-B:26.
- (w) Pharmacy under RSA 318:2 .
- (x) Barbering, cosmetology, and esthetics under RSA 313-A:2.
- (y) Mental health practice under RSA 330-A:3.
- (z) Medical technicians RSA 328-A:2.

107 New Sections; Executive Director; Administration; Investigations. Amend RSA 310-A by inserting after section 1-a the following new sections:

310-A:1-b Executive Director of the Office of Professional Licensure and Certification.

I. The position of executive director of the office of professional licensure and certification shall be an unclassified employee of the state. The executive director shall be qualified by reason of professional competence, education, and experience. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

II. The current executive director of the joint board of licensure and certification shall become the first executive director of the office of professional licensure and certification, with a 4-year term beginning on July 1, 2015. Upon expiration of the term, or upon an earlier resignation, the governor shall appoint or re-appoint, with advice of council, an executive director for a 4-year term.

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

IV. The governor is hereby authorized to transfer such funds appropriated to the boards, councils and committees identified in RSA 310-A:1-a as are necessary to pay the salary and benefits of the executive director.

V. The executive director of the joint board of licensure and certification serving on the effective date of this section shall become the executive director of the office of professional licensure and certification and shall serve a 4-year term beginning on July 1, 2015.

310-A:1-c Division Directors; Positions Transferred.

I. There is established in the office of professional licensure and certification 2 classified positions, at salary grade 35, of director of the division of technical professions and director of the division of health professions.

II. Every classified or unclassified state employee position authorized in the boards, councils, and commissions under RSA 310-A:1-a shall be transferred to the office of professional licensure and certification and subject to the supervisory authority of the executive director.

III. The authority granted to the executive director of the real estate commission under RSA 331-A:8, relative to the issuance and denial of licenses, hearing and procedures on denial of licenses, the hiring of clerical, administrative and investigative staff, maintenance of the official record, and implementation of a program for consumer education, is hereby transferred to the executive director of the office of professional licensure and certification.

IV. The unclassified position of executive director of the real estate commission shall be converted from an unclassified position to a similar classified position when the incumbent serving as the executive director of the real estate commission upon transfer to the office of professional licensure and certification vacates the position. Any funds appropriated for the compensation of the unclassified position of executive director of the real estate commission shall be used for compensation of the classified position at the office of professional licensure and certification.

310-A:1-d Administration of the Office of Professional Licensure and Certification.

I. The office of professional licensure and certification shall operate under the supervision of the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which are reasonably necessary, according to the executive director, for the proper performance of its duties under this chapter.

II. The executive director of the office of professional licensure and certification shall be responsible for:

- (a) Supervision of the division directors;
- (b) The performance of the administrative, clerical, and business processing responsibilities of the boards, commissions, and councils;
- (c) Employment of such personnel needed to carry out the functions of the boards;
- (d) The issuance of a license or certification to any applicant who has met the requirements for licensure or certification and denying a license or certification to applicants who do not meet the minimum qualifications;
- (e) Maintenance of the official record of all applicants and licensees;
- (f) Supervision, coordination, and assistance to the boards, commissions, and councils in rulemaking, pursuant to RSA 541-A; and
- (g) Maintaining the confidentiality of information, documents, and files in accordance with RSA 91-A.

310-A:1-e Investigative Costs; Fees.

I. For any order issued in resolution of a disciplinary proceeding by any board or commission authorized under this title, where such board or commission has found misconduct sufficient to support disciplinary action, the board or commission may require the licensee, registrant, or certificate holder who is the subject of such finding to pay the board or commission a sum not to exceed the reasonable cost of investigation and prosecution of the proceeding. Except where otherwise limited, this sum shall not exceed \$10,000. This sum may be imposed in addition to any otherwise authorized administrative fines levied by the board or commission as part of the penalty. The investigative and prosecution costs shall be assessed by the board or commission and any sums recovered shall be credited for the use of the board or commission and disbursed by the board or commission for any future investigations of complaints.

II.(a) The executive director of the office of professional licensure and certification shall assess an annual license and renewal fee of either \$55 or \$150, or a biennial license and renewal fee of \$110 or \$300, for each professional regulatory board, council, or commission listed in subparagraph (b). The prescribed fees shall not apply to the board of dental examiners under RSA 317-A; the office of licensed allied health professionals under RSA 328-F; the board of mental health practice under RSA 330-A; or any other board, council, or commission subject to this chapter that has an established license or renewal fee set in statute as of the effective date of this section.

- (b)(1) The board of hearing care providers under RSA 137-F:3.
- (2) The board of examiners of nursing home administrators under RSA 151-A.
- (3) The board of podiatry under RSA 315.
- (4) The board of chiropractors examiners under RSA 316-A.
- (5) The board of registration of funeral directors and embalmers under RSA 325.
- (6) The midwifery council under RSA 326-D.
- (7) The board of licensed dietitians under RSA 326-H.
- (8) The board of registration in optometry under RSA 327.
- (9) The naturopathic board of examiners under RSA 328-E.
- (10) The board of acupuncture licensing under RSA 328-G.
- (11) The board of psychologists under RSA 329-B.
- (12) The board of licensing for alcohol and other drug use professionals under RSA 330-C.
- (13) Electrologists under RSA 314.
- (14) Body art practitioners under RSA 314-A.
- (15) Ophthalmic dispensers under RSA 327-A.
- (16) Reflexology, structural integrators, and Asian bodywork therapists under RSA 328-H.
- (17) Massage therapists under RSA 328-B.

(c) If the license, certification, and renewal fees for a regulated profession are not established in statute as of the effective date of this section, the relevant board, commission, or council shall recommend the appropriate fee level to the executive director of the office of professional licensure and certification. The total of all such license, certification, and renewal fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses for the boards, commissions, and councils for the previous fiscal year.

III. Costs for the services provided by the office of professional licensure and certification under this section shall be reimbursed by the boards, commissions, and councils, with such costs allocated equitably, as determined by the executive director.

IV. Nothing in this section shall affect the authority of professional regulatory boards, commissions, and councils in the office of professional licensure and certification from exercising the powers, duties, functions, and responsibilities granted by statute.

108 Positions Transferred; Department of Information Technology; Health and Human Services.

I. Position 41197 in the department of information technology is hereby transferred to the office of professional licensure and certification including 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.

II. Position 14830 in the department of health and human services is hereby transferred to the office of professional licensure and certification created herein including 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.

109 Board of Manufactured Housing; Administrative and Processing Functions. RSA 205-A:29-a is repealed and reenacted to read as follows:

205-A:29-a Administrative and Business Processing Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

110 Manufactured Housing Installation Standards Board; Administrative and Processing Functions. RSA 205-D:3-a is repealed and reenacted to read as follows:

205-D:3-a Administrative and Business Processing Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

111 Board of Accountancy. Amend RSA 309-B:4, III - X to read as follows:

III. ~~(a)~~ Each member of the board shall be paid \$100 for each day or portion of a day spent in the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in the discharge of official duties.

~~(b) In addition to the amounts in subparagraph (a), the secretary-treasurer shall be compensated in an amount to be determined by the board, but not to exceed \$5,000.]~~

IV. The board shall establish fees for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates to practice under this chapter, for late renewals, for verification of licensure or examination, and for transcribing and transferring records and other services. All moneys collected by the board from fees authorized under this chapter shall be received and accounted for by the board, shall be deposited in the state treasury. Administration expenses shall be limited to the funds collected and may include, but shall not be limited to, the costs of conducting investigations and of taking testimony and procuring the attendance of witnesses before the board or its committees; all legal proceedings taken under this chapter for the enforcement of this chapter; and educational programs for the benefit of the public or licensees and their employees. ~~[All fees prescribed by the board under prior law shall remain in effect until the board shall prescribe a new schedule of fees pursuant to RSA 541-A.]~~

V. The board shall file an annual report of its activities with the governor, the president of the senate, and the speaker of the house of representatives. The report shall include a statement of all receipts and disbursements and a listing of all current licensees under this chapter. The board shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable charge.

VI. The board may employ ~~[an executive director,]~~ investigators~~;~~ and such other personnel as it deems necessary **through the office of professional licensure and certification** for ~~[administration and]~~ enforcement under this chapter. It may appoint such committees or persons to advise or assist it in such ~~[administration and]~~ enforcement, as it may see fit. It may retain its own counsel **retained through the office of professional licensure and certification** to advise and assist it, in addition to such advice and assistance as is provided by the department of justice.

VII. The board shall have the power to take any action necessary and proper to carry out the purposes of this chapter, including the power to sue and be sued in its official name as an agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities in other states in investigations and enforcement concerning violations of this chapter and comparable laws of other states, and to receive evidence concerning all matters within its jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this state in requiring the attendance and testimony of witnesses and the production of documentary evidence. The board, its members, and its agents shall be immune from personal liability for

actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising from claims and suits against them with respect to matters to which such immunity applies.

VIII. The board shall adopt rules, pursuant to RSA 541-A, governing its administration, the enforcement of this chapter and the conduct of licensees. Such rules shall include, but not be limited to:

- (a) Rules governing the board's meetings and conduct of its business.
- (b) Rules of procedure governing the conduct of investigations and hearings by the board.
- (c) Rules specifying the educational and experience qualifications required for all licensees, and the continuing professional education required for renewal of certificates or registrations.
- (d) Rules of professional conduct directed to controlling the quality and integrity of the practice of public accountancy by licensees, including, but not limited to, matters relating to independence, integrity, objectivity, competence, technical standards, responsibilities to the public, and responsibilities to clients.
- (e) Rules on substantial equivalency for implementation of RSA 309-B:6.
- (f) Rules governing the manner and circumstances of use of the titles "certified public accountant", "CPA," "public accountant" and "PA."
- (g) Rules regarding peer review as required under this chapter. Such rules shall include conduct and cost parameters to ensure that charges for the off-site peer review process are not excessive.
- (h) The establishment of all fees required under this chapter.
- (i) The establishment of administrative fines for violations of this chapter.
- (j) Rules on how an applicant for certificate demonstrates good character.
- (k) Rules for records retention, outsourcing disclosures, and the severance of connections.

IX. In accordance with RSA 541-A, the board shall publish notice of such proposed action and shall, in addition, notify all licensees.

X. All administrative, clerical, and business processing functions of the board shall be transferred to the ~~joint board of~~ **office of professional** licensure and certification, established in RSA 310-A:1 ~~[on July 1, 2011]~~ **through RSA 310-A:1-e.**

112 Board of Professional Engineers. Amend RSA 310-A:8 to read as follows:

310-A:8 Receipts and Disbursements. The board may employ such investigators, ~~clerical, and other assistants as are necessary for the proper performance of its work~~ **retained through the office of professional licensure and certification**, and may make expenditures for ~~[any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including]~~ the reasonable expenses of the board's delegate to meetings of, and membership dues to, the National Council of Examiners for Engineering and Surveying (NCEES). The board may, with the approval of the attorney general, hire counsel and investigators **through the office of professional licensure and certification** and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision.

113 Board of Professional Engineers. Amend RSA 310-A:25, II to read as follows:

II. The attorney general, or a designee, shall act as legal advisor to the board if the board so requests, and render such legal assistance as deemed necessary by the board in carrying out the provisions of this subdivision, provided that this responsibility shall not relieve the local prosecuting officers of any of their duties under the law. With the approval of the attorney general, the board may employ counsel and necessary assistance **through the office of professional licensure and certification** in carrying out the provisions of this subdivision. Reasonable compensation and expenses for counsel and legal assistance shall be paid from the funds of the board allocated for such purpose.

114 Rulemaking; Professional Engineers. Amend RSA 310-A:32, II to read as follows:

II. In adopting any rule under this section, the board ~~[may]~~ consult with the ~~joint board~~ **office of professional licensure and certification** established under RSA 310-A:1 **through RSA 310-A:1-e.**

115 Professional Geologists. Amend RSA 310-A:123 to read as follows:

310-A:123 Receipts and Disbursements. The board may employ such investigators ~~[clerical assistants, and other assistants]~~ as are necessary for the proper performance of its work **retained by the office of professional licensure and certification** and may make expenditures **through the office of professional licensure and certification** for any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including the reasonable expenses of the board's delegate to meetings and membership dues. The board may, with the approval of the attorney general, hire counsel and **through the office of professional licensure and certification** and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision.

116 Board of Professional Geologists; Hearings; Appeals. Amend RSA 310-A:135, II to read as follows:

II. The attorney general, or a designee, shall act as legal advisor to the board if the board so requests, and render such legal assistance as deemed necessary by the board in carrying out the provisions of this subdivision. With the approval of the attorney general, the board may employ counsel and necessary assistance **retained by the office of professional licensure and certification** in carrying out the provisions of this subdivision. Reasonable compensation and expenses for counsel and legal assistance shall be paid from the funds of the board allocated for such purpose.

117 Real Estate Appraiser Board. RSA 310-B:4, X is repealed and reenacted to read as follows:

X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

118 Electrician's Board. RSA 319-C:4, IV is repealed and reenacted to read as follows:

IV. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

119 Board of Marital Mediator Certification. RSA 328-C:13 is repealed and reenacted to read as follows:

328-C:13 Board of Marital Mediator Certification Administrative Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

120 Real Estate Commission. Amend RSA 331-A:5, IX to read as follows:

IX. The ~~[commission]~~ **office of professional licensure and certification** shall make a biennial report to the governor and council on or before September 1 of each odd-numbered year. The report shall include an account of its actions, its receipts and expenses, the practical effects of the application of this chapter, and any recommendations for legislation.

X. All administrative, clerical, and business processing functions of the commission shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

121 Real Estate Commission; Qualifications for Licensure. Amend the introductory paragraph of RSA 331-A:10, I to read as follows:

I. The ~~[executive-director]~~ **commission, or designee**, shall issue a salesperson's license to any applicant who:

122 Real Estate Commission; Qualifications for Licensure. Amend the introductory paragraph of RSA 331-A:10, II and subparagraphs II(a) and (b) to read as follows:

II. The ~~[executive-director]~~ **commission, or designee**, shall issue a broker's license to any applicant who:

(a) Has attained the age of 18;

(b) Has successfully completed an examination administered or approved by the commission which demonstrates satisfactory knowledge and understanding of the principles of real estate practice. The ~~[executive-director]~~ **commission, or designee**, shall only accept for licensure, an applicant who shows proof of completion of 60 hours of approved study which shall have been completed prior to the date of the applicant's examination;

123 Guardian ad Litem Board. RSA 490-C:7 is repealed and reenacted to read as follows:

490-C:7 Administrative Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

124 Board of Medicine; Medical Review Subcommittee. Amend RSA 329:17, V-a to read as follows:

V-a. A medical review subcommittee of 11 members shall be nominated by the board of medicine and appointed by the governor and council. The subcommittee shall consist of one member of the board of medicine and 10 other persons, 3 of whom shall be public members, one of whom shall be a physician assistant, and 6 of whom shall be physicians. Any public member of the subcommittee shall be a person who is not, and never was, a member of the medical profession or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of medical services or an activity directly related to medicine, including the representation of the board or profession for a fee at any time during the 5 years preceding appointment. The terms of the public members shall be staggered so that no 2 public members' terms expire in the same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions reported to the board under paragraphs II-V of this section, except that matters concerning a medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not be reviewed until the grievance process has been completed. Following review of each case, the subcommittee shall make recommendations to the board. Funds shall be appropriated from the general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this section. The board shall employ **through the office of professional licensure and certification** a physician as a medical review subcommittee investigator who shall serve at the pleasure of the board. The salary of the medical review subcommittee investigator shall be established by RSA 94:1-a.

125 Board of Medicine; Investigations. Amend RSA 329:18, II to read as follows:

II. The board **through the office of professional licensure and certification** may retain expert witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding. Members of the board are not eligible for retainment. The board may also retain special legal counsel in instances when recommended by the attorney general. To the extent the board's existing appropriation does not include funds covering such expenditures, the board **through the office of professional licensure and certification** may request the governor and council to expend funds not otherwise appropriated on the condition that such funds be recovered in the board's next budget at the rate of 125 percent.

126 Board of Medicine; Accounts. Amend RSA 329:19 to read as follows:

329:19 Accounts. The [board] **office of professional licensure and certification** shall keep a full and true record of all fees received and all sums actually paid for expenses, and at the end of each year shall account to the governor and council.

127 Office of Licensed Allied Health Professionals; Governing Boards. Amend RSA 328-F:3 to read as follows:

328-F:3 Governing Boards Established; Board of Directors; Office of Licensed Allied Health Professionals.

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, speech-language pathologists, and genetic counselors.

II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall ~~[-, subject to the rules adopted by the director of the division of personnel, have authority to establish and fill a supervisory position at labor grade 21 and technical and clerical positions to run the office's business in an efficient manner, and to]~~ contract for the services of investigators and legal counsel **retained through the office of professional licensure and regulation**. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.

III. There shall be an office of licensed allied health professionals established in Concord **within the office of professional licensure and regulation**. ~~[It shall be an administratively attached agency, under RSA 21-G:10, to the department of health and human services. In addition, the board shall be subject to the provisions of RSA 126-A:10-a.]~~

128 Office of Allied Health Professionals; Responsibilities of the Board of Directors. Amend RSA 328-F:12 to read as follows:

328-F:12 Responsibilities of the Board of Directors.

I. ~~[The board of directors shall be responsible for preparing and submitting the biennial budget, setting fees, and allocating appropriated funds to each governing board.~~

~~H-]~~ Annually, the [board of directors] **office of professional licensure and certification** shall submit to the governor a report of the transactions of the preceding year and a complete statement of the receipts and expenditures of the boards.

~~[H-]~~ II. The board of directors shall meet at least quarterly and more often if needed.

~~[IV-]~~ III. The board of directors shall provide a forum for practice issues arising in the allied health professions, but shall not set policy for the governing boards.

~~[V-]~~ IV. The [board of directors] **office of professional licensure and certification** shall receive and account for all moneys taken in by the governing boards pursuant to their respective practice acts, and shall pay such moneys to the state treasurer to be deposited into the general fund.

129 Office of Allied Health Professionals; Investigations and Disciplinary Proceedings. Amend RSA 328-F:24, IV(a) and (b) to read as follows:

(a) Retain qualified experts who are not members of the governing board **through the office of professional licensure and certification**.

(b) Retain legal counsel when authorized to do so by the attorney general **through the office of professional licensure and certification**.

130 Board of Nursing. Amend RSA 326-B:3, IX - XII to read as follows:

IX. The governor may remove any member from the board for neglect of any duty under RSA 326-B:4 or for incompetence or unprofessional or dishonorable conduct. Any person may file a complaint against a board member with the ~~[department of health and human services]~~ **office of professional licensure and certification**. The provisions of RSA 4:1 controlling the removal of public officials from office shall be followed in dismissing board members.

X. All members of the board and its agents or employees shall enjoy immunity from individual civil liability while acting within the scope of their duties as board members, agents, or employees, as long as they are not acting in a wanton or reckless manner.

XI. Board meetings shall be open to the public. In accordance with RSA 91-A:3, the board may conduct part of a meeting in nonpublic session.

~~[XII. The board shall be administratively attached, under RSA 21-G:10, to the department of health and human services-]~~

131 Board of Nursing; Expenditures. Amend RSA 326-B:6 to read as follows:

326-B:6 Collection and Expenditure of Funds. The [board] **office of professional licensure and certification** shall receive and expend funds provided such funds are received and expended for the pursuit of the objectives authorized by this chapter. Fees, fines, and administrative charges, including those related to RSA 326-B:26, shall be deposited in the general fund.

132 Board of Nursing; Investigations. Amend RSA 326-B:38, II to read as follows:

II. The board may appoint legal counsel, health care advisors, or other investigators **retained through the office of professional licensure and certification** to assist with any investigation and with adjudicative hearings.

133 Board of Pharmacy; Reports. Amend RSA 318:11 to read as follows:

318:11 Reports. The [board] **office of professional licensure and certification** shall file with the governor and council, on or before December 1 biennially, a report upon the condition of pharmacy in the state and containing a record of their acts and proceedings.

134 Board of Pharmacy; Investigatory Powers. Amend RSA 318:30, II to read as follows:

II. The board may appoint legal counsel, technical advisors or other investigators **retained through the office of professional licensure and certification** to assist with any investigation and with adjudicatory hearings.

135 Board of Barbering, Cosmetology, and Esthetics; Receipts. Amend RSA 313-A:5 to read as follows:

313-A:5 Receipts and Their Disposition. All moneys received ~~[by the board]~~ under this chapter shall be ~~[paid to the secretary of the board, who shall give a receipt therefor and shall at the end of each month report to the commissioner of administrative services the total amount of money received and thereupon and]~~ **accounted for by the office of professional licensure and certification, and shall be** deposited the same with the state treasurer.

136 Board of Barbering, Cosmetology, and Esthetics; Duties. Amend RSA 313-A:7, I to read as follows:

I. The board shall:

(a) Prescribe the duties of its officers and employees~~[-, which shall be at all times subject to the direction and supervision of the department of health and human services];~~

(b) Establish ~~[a principal]~~ an office, **within the office of professional licensure and certification** at which all records and files of the board shall be kept;

137 Board of Barbering, Cosmetology, and Esthetics; Inspectors. Amend RSA 313-A:21, I and II to read as follows:

I. The ~~[department of health and human services]~~ **office of professional licensure and certification** shall employ inspectors and authorize them to enter and make reasonable examination and inspection of any salon, barbershop, or school during business hours for the purpose of ascertaining whether or not the administrative rules of the board and the provisions of this chapter are being observed. Each inspector shall file a report with the board of such findings with respect to each inspection made. Salaries and necessary expenses of the inspectors shall be charged against the fees and other moneys collected by the board.

II. The ~~[commissioner of the department of health and human services shall, with the advice of the]~~ board~~[-]~~ **shall** adopt rules relative to the qualifications for inspectors under this section.

138 Dental Board; Investigatory Powers. Amend RSA 317-A:4, I(d) to read as follows:

(d) To obtain legal counsel, investigators, and such other assistance as may be required; to make contracts and arrangements for the performance of administrative and similar services; and to establish compensation therefor **through the office of professional licensure and certification**.

139 Dental Board; Receipts. RSA 317-A:5 is repealed and reenacted to read as follows:

317-A:5 Report; Receipts. The office of professional licensure and certification shall make a biennial report of the board's proceedings to the governor and council in October, and all fees and fines received shall be accounted for by the office of professional licensure and certification, and shall be deposited in the state treasury.

140 Dental Board; Investigations. Amend RSA 317-A:18, II to read as follows:

II. The board may retain legal counsel, dental advisors or other investigators **through the office of professional licensure and certification** to assist with any investigation and with adjudicatory hearings.

141 Dental Board; Disposal of Fines Amend RSA 317-A:35 to read as follows:

317-A:35 Disposal of Fines. All fines imposed and collected under this chapter shall be paid by the court or justice to the ~~[executive director of the board]~~ **office of professional licensure and certification**.

142 Dental Board; Office Amend RSA 317-A:36 to read as follows:

317-A:36 Location of Office. The office of the New Hampshire state board of dental examiners shall be located in the ~~[bureau of dental public health, department of health and human services]~~ **office of professional licensure and certification**.

143 Board of Mental Health Practice; Receipts and Disbursements. RSA 330-A:11 is repealed and reenacted to read as follows:

330-A:11 Receipts and Disbursements. All monies derived from the provisions of this chapter shall be received and accounted for by the office of professional licensure and certification and shall be deposited in the state treasury.

144 Board of Mental Health Practice; Records and Reports. Amend RSA 330-A:13, II, to read as follows:

II. Biennially, as of October 1, the[board] **office of professional licensure and certification** shall submit to the governor a report of the transactions of the preceding biennium, and shall also transmit a complete statement of the receipts and expenditures of the board.

145 Board of Mental Health Practice; Investigations and Complaints. Amend RSA 330-A:28, II to read as follows:

II. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, mental health advisors, or investigators ***through the office of professional licensure and certification*** to assist with that investigation or hearing. Members of the board are not eligible for retention.

146 Board of Podiatry; Investigations and Preliminary Hearings. Amend RSA 315:10, II to read as follows:

II. The board may appoint legal counsel, podiatric advisors or other investigators ***retained through the office of professional licensure and certification*** to assist with any investigation and with adjudicatory hearings.

147 Board of Nursing Home Administrators. Amend RSA 151-A:14 to read as follows:

151-A:14 Authorization. In order to provide necessary funds for training courses for nursing home administrators, the state treasurer is authorized to establish a revolving fund within the ~~[department of health and human services]~~ ***office of professional licensure and certification*** in sums sufficient to carry out this provision, such funds to be reimbursed in full by federal matching funds and by tuition charges to the nursing home administrators taking such training courses.

148 Board of Chiropractic Examiners; Income. RSA 316-A:8 is repealed and reenacted to read as follows:

316-A:8 Income. All moneys collected by the board from fees authorized under this chapter shall be received and accounted for by the office of professional licensure and certification, and shall be deposited in the state treasury.

149 Board of Chiropractic Examiners; Report. Amend RSA 316-A:10 to read as follows:

316-A:10 Report. The secretary-treasurer shall file with the governor and council biennially and in such form as the governor and council may prescribe, such information as is necessary to maintain in the ~~[department of health and human services]~~ ***office of professional licensure and certification*** a current record of rules of the board of chiropractic examiners affecting the issuance of licenses.

150 New Paragraph; Electrologists; Definitions. Amend RSA 314:1 by inserting after paragraph IV the following new paragraph:

V. "Executive director" means the executive director of the office of professional licensure and certification.

151 References Changed; Electrologists; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": 314:2, 314:2-a, 314:3, 314:5, 314:6, 314:7, 314:8, 314:9, 134:10, I, 314:13.

152 Embalmers and Funeral Directors. Amend RSA 325:33, II(a) and (b) to read as follows

(a) The board may appoint technical advisors or other investigators to assist with any investigation or adjudication, and may, with the approval of the attorney general, appoint legal counsel ***retained through the office of professional licensure and certification*** for such purposes.

(b) To the extent the board lacks budgeted funds to conduct a significant investigation or adjudication, it may, with the approval of the attorney general, petition governor and counsel to receive funds not otherwise appropriated in order to retain professional advisors ~~[in the proceeding]~~ ***retained through the office of professional licensure and certification***.

153 New Paragraph; Ophthalmic Dispensing; Definitions. Amend RSA 327-A:1 by inserting after paragraph VI the following new paragraph:

VI-a. "Executive director" means the executive director of the office of professional licensure and certification.

154 References Changed; Ophthalmic Dispensing; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": the introductory paragraph of 327-A:5, 327-A:5, VI, 327-A:6, 327-A:7, 327-A:12, 327-A:15, 327-A:17.

155 Ophthalmic Dispensing; Duties of Executive Director. Amend RSA 327-A:5, VII to read as follows:

VII. Reporting to the governor and council ~~[and to the commissioner of the department of health and human services]~~ annually on the activities conducted under this chapter.

156 Ophthalmic Dispensing. Amend RSA 327-A:14 to read as follows:

327-A:14 Renewal of Registration; Continuing Education. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the commissioner. Certificates of registration for ophthalmic dispensing shall be renewed upon the payment of the renewal fee and the completion of 8 credits of continuing education during the previous 2-year period. Any national, regional, or state optical company, trade, or professional group is authorized to sponsor continuing education programs approved by the American Board of Opticianry, the National Contact Lens Examiners, or the commissioner. The ~~[commissioner or the deputy commissioner of the department of health and human services]~~ ***executive director*** shall authorize continuing education programs which contribute to the advancement, extension, or enhancement of the professional skills and the technical knowledge of opticians.

157 Naturopathic Board; Powers. Amend RSA 328-E:8, I(d) to read as follows:

(d) Maintain an accurate account of all receipts, expenditures and refunds granted under this chapter ***through the office of professional licensure and certification***.

158 Naturopathic Board; Administration. Amend RSA 328-E:15 to read as follows:

328-E:15 Administration. The ~~[commissioner of the department of health and human services]~~ **executive director** shall provide administrative services to the board created under this chapter. All administrative services shall be a cost to the board and shall be reimbursed by fees collected by the board under RSA 328-E:8, I(a).

159 Board of Hearing Care Providers. Amend RSA 137-F:21, III to read as follows:

III. The board may appoint legal counsel, audiology experts, hearing aid dealer experts, hearing officers, or other investigators **retained through the office of professional licensure and certification** to assist with any investigation or with adjudicatory hearings.

160 Board of Acupuncture. Amend RSA 328-G:8 to read as follows:

328-G:8 Disposition of Receipts. All moneys received by the board under this chapter shall be ~~[paid to the administrator of the board, who shall give a receipt therefor and shall, at the end of each month, report to the commissioner of the department of health and human services the total amount of money received and deposit it]~~ **deposited** with the state treasurer **through the office of professional licensure and certification**.

161 Board of Acupuncture; Duties. Amend RSA 328-G:11 I(c), to read as follows:

(c) Maintain an accurate account of all receipts, expenditures, and refunds granted under this chapter **through the office of licensure and certification**.

162 Board of Licensure for Alcohol and other Drug Use Professionals. Amend RSA 330-C:3, XII to read as follows:

XII. The governor may remove any member from the board for neglect of any duty under RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a complaint against a board member or board members with the ~~[commissioner of the department of health and human services]~~ **executive director of the office of professional licensure and certification**. Upon receipt of a complaint, the commissioner shall conduct an investigation and take any appropriate action and report his or her findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials from office shall be followed in dismissing board members.

163 Advisory Board of Massage Therapists. RSA 328-B:2, IV is repealed and reenacted to read as follows:

IV. "Executive director" means the executive director of the office of professional licensure and certification.

164 References Changed; Massage Therapists; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": 328-B:4, 328-B:5.

165 Advisory Board of Massage Therapists. Amend RSA 328-B:11-a to read as follows:

328-B:11-a Administrative Fines. The ~~[commissioner of the department of health and human services]~~ **executive director of the office of professional licensure and certification**, after notice and opportunity for hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this chapter or rules adopted pursuant to it. Rehearings and appeals from a decision of the ~~[commissioner]~~ **executive director** shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter. The ~~[commissioner]~~ **executive director** shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled to reflect the scope and severity of the violation. The sums obtained from the levying of administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into the general fund.

166 Board of Psychologists. Amend RSA 329-B:22, III to read as follows:

III. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, psychologist advisors, or investigators **through the office of professional licensure and certification** to assist with that investigation or hearing. Members of the board are not eligible for retention.

167 New Paragraph; Advisory Board of Reflexology, Structural Integration, and Asian Bodywork Therapy; Definitions. Amend RSA 328-H:2 by inserting after paragraph IV the following new paragraph:

IV-a. "Executive director" means the executive director of the office of professional licensure and certification established under RSA 310-A:1 through RSA 310-A:1-e.

168 References Changed; Advisory Board of Reflexology, Structural Integration, and Asian Bodywork Therapy; Executive Director. Amend the following RSA provisions by replacing "commissioner" and "department" with "executive director": 328-H:2, I, 328-H:2, VII, 328-H:4, 328-H:5, 328-H:6, 328-H:7, 328-H:8, 328-H:9, 328-H:10, 328-H:11, 328-H:12, 328-H:15, 328-H:16, 328-H:17.

169 Repeals. The following are repealed:

I. RSA 126:10-a, relative to the health and human services office of professional licensing.

II. RSA 310-A:61, relative to expenditures by the board of land surveyors.

III. RSA 331-A:2, V, relative to definition of executive director of the real estate commission.

IV. RSA 331-A:6, relative to administrative attachment of the real estate commission.

V. RSA 331-A:7, I, relative to appointment of the executive director of the real estate commission.

VI. RSA 331-A:8, relative to powers of the executive director of the real estate commission.

- VII. RSA 326-B:4, XI and XII, relative to staff and executive director of the board of nursing.
- VIII. RSA 326-B:5, relative to administration by the executive director of the board of nursing.
- IX. RSA 318:2-a, relative to administrative attachment of the pharmacy board.
- X. RSA 318:9, relative to administrative duties of the pharmacy board.
- XI. RSA 313-A:2, VI, relative to administrative attachment of the board of barbering, cosmetology and esthetics.
- XII. RSA 317-A:2, relative to administrative attachment of the dental board.
- XIII. RSA 330-A:5, relative to administrative attachment of the board of mental health practice.
- XIV. RSA 327:2, IV and V, relative to administrative attachment of the board of optometry.
- XV. RSA 315:1-a, relative to administrative attachment of the board of podiatry.
- XVI. RSA 151-A:3, IV, relative to administrative attachment of the board of nursing home administrators.
- XVII. RSA 316-A:2, relative to administrative attachment of the board of chiropractic examiners.
- XVIII. RSA 314:1, I and II, relative to definitions under electrolysis regulation.
- XIX. RSA 325:2, IV, relative to administrative attachment of the board of funeral directors and embalmers.
- XX. RSA 325:10, relative to duties of the secretary of the board of funeral directors and embalmers.
- XXI. RSA 327-A:1, V and VI, relative to definitions under the ophthalmic dispensers board
- XXII. RSA 328-E:7, VII, relative to administrative attachment of the naturopathic board of examiners.
- XXIII. RSA 328-E:8, II, relative to personnel of the naturopathic board of examiners.
- XXIV. RSA 328-E:11, relative to rulemaking by the naturopathic board of examiners.
- XXV. RSA 137-F, VIII, relative to administrative attachment of the board of hearing care providers.
- XXVI. RSA 328-G:4, relative to administrative attachment of the board of acupuncture.
- XXVII. RSA 328-G:11, V and VI relative to rulemaking by the board of acupuncture.
- XXVIII. RSA 326-D:3, III, relative to administrative attachment of the midwifery council.
- XXIX. RSA 326-D:10, II, relative to administrative services of the midwifery council.
- XXX. RSA 330-C:4, relative to administrative attachment of the board of licensure for alcohol and other drug use professionals.
- XXXI. RSA 330-C:5, IX, relative to assistants of the board of licensure for alcohol and other drug use professionals
- XXXII. RSA 330-C:5, XI, relative to reports of the board of licensure for alcohol and other drug use professionals.
- XXXIII. RSA 326-H:7, relative to administrative attachment of the board of licensed dieticians.
- XXXIV. RSA 329-B:5, relative to administrative attachment of the board of psychologists.
- XXXV. RSA 328-H:2, III and IV, relative to definitions for the advisory board of reflexology, structural integration, and Asian bodywork therapy.
- XXXVI. RSA 328-I:1, II and III, relative to definitions for the board of registration of medical technicians.
- XXXVII. RSA 328-I:2, IV, relative to the administrative attachment of the board of registration of medical technicians.

170 Department of Resources and Economic Development; Reporting Requirements.

I. The commissioner of the department of resources and economic development may meet its reporting obligations, notwithstanding any law to the contrary as set forth in statute, by making such changes in its current reporting processes as may be necessary or desirable for the efficient, streamlined, and cost-effective delivery of a consolidated department report and division reports provided annually as required by statute while maintaining transparency to citizens. This may include the elimination of the use of some reports as identified to avoid redundancy of information provided that may be contained in one or more of each through this consolidated reporting process. Such annual consolidated department and division reports shall incorporate information from the following reports.

(a) The department of resources and economic development advisory commission report provided biennially to the governor and council under RSA 12-A:6.

(b) The department's energy efficiency report provided quarterly to the department of administrative services state's energy manager under executive order 2005-4.

II. Such annual consolidated division of economic development report shall incorporate and consolidate information contained in the following reports:

(a) The division of economic development's economic development program loans and grants report provided annually to the public under RSA 12-A:33.

(b) The division of economic development advisory committee on international trade report provided annually to the general court and governor under RSA 12-A:30, I (f).

(c) The office of workforce opportunity job training program for economic growth report provided annually to the general court, fiscal committee of the general court, governor and council, and the commissioner of department of employment security under RSA 12-A:58, I.

(d) The division of forests and lands mining and reclamation report provided annually to the governor and council under RSA 12-E:2, VI.

(e) The division of forests and lands report provided biennially to the governor under RSA 227-G:3, I (i).

(f) The division of parks and recreation community recreation service report provided annually to the division director under RSA 12-B:3, X.

(g) The Monadnock advisory commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the member communities under RSA 227-D:5, VII.

(h) The division of parks and recreation Cannon season pass sales report provided quarterly to the general court, fiscal committee of the general court, and governor and council under RSA 227:14.

(i) The division of parks and recreation Hampton Beach capital improvement fund report provided annually to the fiscal committee of the general court and governor and council under RSA 216:3, IV (b);

(j) The division of parks and recreation's financial report provided annually to the general court and governor and council under RSA 216-A:3-e, III.

(k) The Hampton Beach area commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the general court and governor and council under RSA 216-J:3, VIII.

(l) The division of parks and recreation's state of the parks and historic sites report provided annually to the general court under RSA 216-A:3-c, VI.

(m) The state park system advisory council report, a council administratively assigned to the division of parks and recreation, provided annually to the general court, governor and council, and state library under RSA 216-A:3-k, VI (f).

(n) The division of parks and recreation Cannon Mountain package plan programs report provided quarterly to the general court, fiscal committee of the general court, and governor and council under RSA 12-A:15, II.

(o) The division of parks and recreation Cannon capital improvement fund report provided annually to the fiscal committee of the general court and governor and council under RSA 12-A:29-c, III.

(p) The Wentworth Coolidge commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the general court and governor and council under executive order 1989-10.

(q) The division of parks and recreation bureau of trails report provided annually to the general court and state library under RSA 215-A:3, IX and RSA 215-C:2, X.

(r) The division of parks and recreation Connecticut Lakes Headwaters tract report provided annually to the general court, the governor and council, and the state library under RSA 216:8, IV, RSA 216:9, V, and RSA 216:11, IV.

(s) The division of travel and tourism revolving fund report provided annually to the fiscal committee of the general court and the governor and council under RSA 12-A:15-a.

(t) The division of travel and tourism development fund provided annually to the general court, governor and council, and state library under RSA 12-A:43-a, II.

III. The annual consolidated department report and division reports shall be delivered electronically to the speaker of the house of representatives, senate president and fiscal committee of the general court, and to the governor and council, by January 31 of each year. The department shall electronically post its annual consolidated report on the department website by January 31 of each year for review by all other parties as required by statute.

171 Issuance of Reports. RSA 20:7 is repealed and reenacted to read as follows:

20:7 Issuance of Reports.

I. All agencies and departments of the state shall issue biennial reports summarizing their operations. All reports shall cover periods ending on June 30, and be posted to the state transparency website, with one paper copy submitted to the state library by October 1. Biennial reports shall cover periods ending in odd-numbered years beginning with 2015. State agencies and departments shall make every effort to limit or eliminate the production of paper reports. The governor and council, speaker of the house of representatives, and the senate president shall be notified by letter that a report is available on the state transparency website.

II. Agencies and departments may post other required reports to their Internet website and the state transparency website in lieu of other methods of distribution, and shall notify by letter all persons or committees required by law to receive such reports of the reports' availability on the state transparency website.

III. The governor's commission on disability established in RSA 275-C shall be exempt from the provisions of this section but shall comply with the reporting requirements in RSA 275-C:6.

IV. The lottery commission's comprehensive annual financial report prepared pursuant to RSA 21-I:8, II(b) shall meet the requirements of this section.

172 Department of Environmental Services; Milfoil and Other Exotic Aquatic Plants. Amend RSA 487:29 to read as follows:

487:29 Milfoil and Other Exotic Aquatic Plants Prevention; Grant Fund Report and Budget. The department of environmental services shall submit ~~[an annual]~~ **a biennial** report, beginning on January 1, 2004, to the speaker of the house, president of the senate, and the governor and council which shall include, but

not be limited to, a description of prevention and research projects funded by the milfoil and other exotic aquatic plants prevention program and the extent of aid to municipalities or subdivisions of the state, non-profit corporations, and research institutions.

173 Telecommunications Equipment Assistance Program; Annual Report. Amend RSA 362-E:7 to read as follows:

362-E:7 Annual Report. The governor's commission on disability shall file a report which shall include the number of persons assisted, all sources of funding, and the total amount disbursed under this chapter. Such report shall be submitted annually to the governor and council, the senate president, the speaker of the house and the ~~[science, technology and energy committee]~~ **public utilities commission**, on or before October 1.

174 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XIV to read as follows:

XIV. To formulate a policy relating to long-term trends affecting the purity of the surface waters or groundwaters of the state. Insofar as practicable and necessary, a continuing program of sampling and subsequent chemical or biological analysis, or both, shall be conducted to establish patterns and reveal long-term trends to serve as a basis for formulating such policy. In conducting said program of sampling and analysis, the department is authorized to accept any assistance as may be proffered by persons that the department deems to be qualified. ~~[The department shall make a biennial report of its findings to the governor and council, the senate environment committee, and the house resources, recreation, and development committee.]~~ The department shall provide proper warning to the public by posting a sign indicating where water quality standards are not being attained as they relate to specified designated uses.

175 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XVI-c(a) to read as follows:

XVI-c.(a) To design and implement a program for state or independent third party sampling and testing of sludge or biosolid materials that are intended for land application. The department shall design the sampling methodology, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, to provide a statistical evaluation of the contaminant levels contained in sludge or biosolids. The department shall concentrate its testing on those contaminants that pose greater risks to public health and the environment due to their toxicity, potential availability, concentration levels, or concentration uncertainty. The department shall maintain a database of testing results and prepare, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, and make available to the public and the general court, ~~[an annual]~~ **a biennial** report by November 1 of each year which analyses the compiled test results, including data from prior years, as appropriate. The analysis shall detail contaminant concentrations on both a statewide and generator level and shall indicate the statistical degree of certainty in the results of the analysis. The department shall attempt to present the report in terms that are understandable to the layperson including practical examples such as the probability that any given load of untested sludge exceeds a contaminant standard.

176 Aquatic Resource Compensatory Mitigation; Report. Amend RSA 482-A:33 to read as follows:

482-A:33 Report. The department shall submit ~~[an annual]~~ **a biennial** report 60 days after the close of each **odd-numbered** fiscal year, to the fiscal committee of the general court, the chairperson of the house resources, recreation and development committee, and the chairperson of the senate environment and wildlife committee summarizing all receipts and disbursements of the aquatic resource compensatory mitigation fund, including a description of all projects undertaken and the status of the administrative assessment account. Each report shall be in such detail with sufficient information to be fully understood by the general court and the public. After submission to the general court, the report shall be available to the public.

177 Unemployment Compensation; Duties and Powers. Amend RSA 282-A:112, I to read as follows:

I. It shall be the duty of the commissioner of the department of employment security to administer this chapter. ~~[He]~~ **The commissioner** shall have power and authority to adopt, amend, or rescind rules, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. The commissioner shall determine his **or her** own organization and methods of procedure in accordance with the provisions of this chapter. Not later than the thirtieth day of June of each year, the commissioner shall submit to the governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make such recommendations for amendments to this chapter as he **or she** deems proper. Such reports shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commissioner in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. **Such report shall satisfy the requirements of RSA 20:7 and the department shall not be required to submit a separate biennial report.** Whenever the commissioner believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, ~~[he]~~ **the commissioner** shall promptly so inform the governor and the legislature and make recommendations with respect thereto.

178 New Hampshire Employment Program and Family Assistance Program; Work Participation Rates. Amend RSA 167:77-a, II to read as follows:

II. The department shall submit a report to the oversight committee for health and human services, established in RSA 126-A:13, relative to actions taken to increase the work participation rate reported to the federal Department of Health and Human Services. The department also shall provide the oversight committee with an estimate of whether the state shall meet the federal requirements for each federal fiscal year by ~~[July]~~ **January** 15 of that fiscal year.

179 New Hampshire Employment Program and Family Assistance Program; Outcome Measurement System. Amend RSA 167:77-c, IV-V to read as follows:

IV. The department shall establish an outcome measurement system with the following areas of analysis:

(a) ~~[The job retention and earnings gain indicators using the same methodology as the TANF high performance measures.~~

~~(b)]~~ The number and percent of cash assistance recipients who close each month due to employment, the average hourly, weekly, and monthly wages, the average total weekly and monthly total income, the number and percent who return to cash assistance after 3, 6, and 12 months.

~~[(c) The extended earnings of families who leave TANF due to employment.~~

~~(d) Numbers and percentages of families who leave TANF due to employment and stay employed.~~

~~(e) Numbers and percentage of families who increase their earnings after leaving TANF.~~

~~(f)]~~ **(b)** Numbers and percentages of TANF families that leave TANF and ranking of their income compared to the federal poverty level and the ~~[NH]~~ **New Hampshire** living wage.

~~[(g) Poverty and child poverty rates and out of wedlock births and the national ranking of New Hampshire.~~

~~(h) The impact of TANF policies on local assistance based on data requested by the oversight committee and as reported by the New Hampshire Local Welfare Administrators Association.~~

~~(i) The reasons for caseload increases and decreases with analysis of numbers and reasons for openings, denials, and closings and the numbers and reasons for sanctions and denials due to noncompliance with program requirements.~~

~~(j) Any other measures selected by the department or the oversight committee on health and human services which shows TANF performance in moving families out of poverty.]~~

V. The department shall develop and maintain the indicators for the program outcomes listed in paragraph IV, subject to review and approval by the oversight committee on health and human services. The department shall submit a report to the oversight committee each ~~[June and December]~~ **January**.

180 New Hampshire Employment Program and Family Assistance Program; Career Ladder Initiatives. Amend RSA 167:77-f, II to read as follows:

II. The department shall report its progress to the oversight committee on health and human services in ~~[June and December of each year beginning with December 2007]~~ **January**.

181 Long-Term Care; Program Management and Cost Controls. Amend RSA 151-E:11, II to read as follows:

II. For the fiscal year beginning July 1, 2003, and each fiscal year thereafter the average annual cost for the provision of services to persons in the mid-level of care shall not exceed 60 percent of the average annual cost for the provision of services in a nursing facility. The average annual cost for the provision of services in home-based care shall not exceed 50 percent of the average annual cost for the provision of services to persons in a nursing facility. No person whose costs would be in excess of 80 percent of the average annual cost for the provision of services to a person in a nursing facility shall be approved for home-based or mid-level services without the prior approval of the commissioner of health and human services. The prior approval shall include a comparison of the mid-level or home-based care costs of the person with the costs of a facility qualified to provide any specialized services necessary for the proper care and treatment of the individual. The department shall provide a report ~~[semi-annually]~~ on the utilization of non-nursing home services to the county-state finance commission and the legislative fiscal committee **when such information is provided to the Centers for Medicare and Medicaid Services.**

182 Department of Health and Human Services; Rate Setting for Home Health Services. Amend RSA 126-A:18-a, III to read as follows:

III. The commissioner shall make ~~[an annual report on or before November 1,]~~ **a biennial report** relative to the rates for home health services, to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate finance committees.

183 Workers' Compensation; Reports of the Commissioner. Amend RSA 281-A:61 to read as follows:

281-A:61 Reports of the Commissioner.

I. The commissioner shall make a report to the governor, by October 1 of each odd-numbered year, showing the work done during the preceding 2 fiscal years. The report shall include a properly classified statement of department expenses, statistical information relating to the number and character of industrial accidents during such 2 years and such other information and recommendations as the commissioner deems pertinent. The report shall be printed as part of the commissioner's biennial report.

II. The commissioner shall make a workplace safety and injury report, which shall be submitted with the report required under paragraph I, to the governor and the legislature. The report shall provide statistical information pertaining to the nature, character and severity of industrial accidents, injuries, and illnesses in New Hampshire and information pertaining to the department's and employers' efforts in the area of safety promotion and accident prevention. ~~[The statistical information related to workplace injuries shall be compiled from data gathered directly by the department through the required injury reports filed by employers.]~~ This report shall include, but not be limited to, the types and frequency of reported injuries; ~~[a breakdown and analysis of the types and size of industries, and]~~ the job classifications from which such injuries have been reported; ~~[the average length of disability;]~~ a report of employer compliance with RSA 281-A:64; the annual listing of best and worst performers as prepared by the commissioner under the provisions of RSA 281-A:64; a report of all departmental activities required under RSA 281-A:65; specific recommendations for improved workplace safety promotion and injury prevention; and any other such information and recommendations pertaining to workplace injuries and injury prevention as the commissioner deems appropriate. ~~[The report shall also include the same information for certified managed care programs and shall include information relative to the number of employees and the number of hearings of claimants participating in each certified managed care program.]~~

184 State Liquor Stores; Closing of State Stores. Amend RSA 177:2 to read as follows:
177:2 Closing of State Stores.

I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store. The commission shall submit a ~~[semi-annual]~~ report of state liquor store closings to the fiscal committee of the general court **when store closings occur**.

II. In order to properly reflect the operating expenses of each state store, the commission shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the commission. All such expenses of the commission, with the exception of the enforcement and licensing division operating expenses, shall be included in the plan and allocated to all state stores on a consistent, rational basis. ~~[The indirect cost allocation plan for each fiscal year shall be submitted to the fiscal committee and the governor and council for approval, no later than 3 months before the start of each fiscal year.]~~ **No later than 3 months prior to the closing of any state liquor store, the commission shall submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council for approval.**

185 Horse and Dog Racing; Report of the Commission. Amend RSA 284:21-g to read as follows:

284:21-g Report of the Commission. The commission shall make an annual report to the governor ~~[in accordance with RSA 20:7;]~~ including therein an account of its actions, receipts derived under the provisions of this subdivision, the practical effects of the application thereof, and any recommendation for legislation which the commission deems advisable. **Such report shall be submitted on or before February 1 and the commission shall not be required to submit a separate report under RSA 20:7.**

186 Disposal of State-Owned Vehicles Based on Non-Business Use. Amend RSA 21-I:19-h, I-IV to read as follows:

I. Each agency, as defined in RSA 21-G:5, III, shall report ~~[quarterly]~~ **biennially** to the department of administrative services the total miles and total nonbusiness miles traveled by each state-owned motor vehicle, including, but not limited to, use of vehicles for commuting between an employee's home and regular place of business. This section shall not apply to vehicles used for the purposes of law enforcement. This section shall be interpreted so as not to conflict with federal Internal Revenue statutes or regulations and shall not relieve an agency or its employees from non-wage fringe benefit reporting requirements for nonbusiness use of state-owned motor vehicles.

II. By August 1, 2011, each agency shall review the utilization of all vehicles which are assigned to the agency to determine if nonbusiness use for any vehicle exceeds 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. By August 1 of each **odd-numbered** year after 2011, each agency shall conduct the same review using the percentage of nonbusiness use miles adjusted by the vehicle utilization committee.

III. Each agency shall, by August 15, 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use exceeding 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. Each agency shall, by August 15 of each **odd-numbered** year after 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use miles exceeding the percentage adjusted by the vehicle utilization committee.

IV. The commissioner shall, by October 1, 2011 and each October 1 **in an odd-numbered year** thereafter, submit a report to the governor and council and to the fiscal committee of the general court identifying all vehicles which he or she has been advised have nonbusiness use exceeding the applicable percentage of total miles traveled by that vehicle for the preceding **2** fiscal ~~[year]~~ **years**.

187 State Trust Funds; Reporting. Amend RSA 11:5-b to read as follows:

11:5-b Reporting.

I. The state treasurer shall report annually or more often as required by the trust fund administrators or the terms of the trust instrument to the administrator on the financial activities of the respective trust fund.

II. The state treasurer shall keep appropriate bookkeeping records, showing on an annual basis the amount of each trust fund and the profits and income allocable to each trust. ~~[A copy of such records shall be approved annually by the governor and council and filed with the director of charitable trusts who serves under the supervision of the attorney general under RSA 7:20.]~~

III. Trust fund administrators shall report on the use of state trust funds and the income received thereon pursuant to the requirements of RSA 7:28 and provide a copy of such reports to the governor and council.

188 Investment and Debt Management; Duties of Office. Amend RSA 6-B:2, V to read as follows:

V. Evaluate revenue projections for each proposed revenue bond issue ~~[and report findings to the governor and the capital budget overview committee].~~

189 Controlled Drug Act; Drug Asset Forfeiture Guidelines Required. Amend RSA 318-B:17-e to read as follows:

318-B:17-e Drug Asset Forfeiture Guidelines Required. The department of justice shall adopt and maintain drug asset forfeiture guidelines. The attorney general shall submit the guidelines and any proposed amendments to such guidelines to the house judiciary and family law committee and to the senate judiciary committee for review and comment ~~[at least as often as annually]~~ **whenever amendments to the guidelines are proposed**. The attorney general shall submit any proposed amendments to the guidelines for legislative review and comment prior to their becoming effective.

190 State Solid Waste Plan and Report. Amend RSA 149-M:29, I and the introductory paragraph of RSA 149-M:29, II to read as follows:

I. Beginning October 1, 1998, and every [6] **10** years thereafter, the department shall update the state's solid waste plan.

II. ~~[At least every October 1 of every year]~~ **No later than October 1, 2015 and by October 1 of every fifth year thereafter**, the department shall prepare a report on the level of achievement in reaching the 40 percent diversion goal established in RSA 149-M:2 and on proposed strategies for achieving the goal and any proposed changes to the goal. The report shall contain information regarding:

191 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, III to read as follows:

III. The council shall consult with and advise the director of the division of air resources with respect to the policy, programs, goals and operations of the division, with particular emphasis on long-range planning for the division and on education of the public relative to the functions of the division, on a continuing basis. In order to accomplish said purposes, the council shall meet with the director not less frequently than quarterly, or at the call of the chairman or 3 council members. ~~[The council shall file annually a report of its deliberations and recommendations with the commissioner of the department of environmental services and the governor and council.]~~

192 Pollution Prevention; Duties of Coordinator. Amend RSA 21-O:18, VI to read as follows:

VI. Prepare a ~~[biennial]~~ report **every 4 years to submit** to the governor and council, the legislature and the committee on environment and agriculture on the department's efforts to integrate and promote pollution prevention concepts, the fiscal aspects of such efforts, and specific cases of successful and unsuccessful pollution prevention resulting from the implementation of this subdivision.

193 Diseases of Domestic Animals; Report. Amend RSA 436:4 to read as follows:

436:4 Report. The commissioner shall, ~~[between September 1 and October 31 of each year, make]~~ **within its biennial report pursuant to RSA 20:7, submit** a written report to the governor and council, stating in detail the work done during the preceding ~~[year]~~ **2 years**.

194 Animal Population Control; Program Established. Amend RSA 437-A:2 to read as follows:

437-A:2 Program Established. The department shall establish and implement an animal population control program. The purpose of this program shall be to reduce the population of unwanted and stray dogs and cats by encouraging the owners of dogs and cats to have them permanently sexually sterilized, thereby reducing potential threats to public health and safety from mid-Atlantic rabies and other sources. The program shall not begin operation until June 1, 1994. The commissioner shall ~~[make an annual]~~ report relative to the progress of the program beginning on September 1, 1994, to the president of the senate, the speaker of the house and the governor **within its biennial report pursuant to RSA 20:7**.

195 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, VII to read as follows:

VII. The commissioner shall biennially make to the governor a report on all of the activities under this chapter **within its biennial report pursuant to RSA 20:7**.

196 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, IX to read as follows:

IX. The commissioner shall ~~[make an annual]~~ ***within its biennial report pursuant to RSA 20:7***, report ~~[on October 1 of each year]~~ to the house and senate committees on executive departments and administration and to the house and senate clerks including the number of consumer complaints, the number of inspections, and the number of audits during the prior fiscal year for meters, scales, and other devices.

197 Beekeeping and Maple Honey Products; Report. Amend RSA 429:6 to read as follows:

429:6 Report. The inspector shall render ~~[annually on or before July 1]~~ a full and complete report of his work. This report shall be included in and made a part of the report of the commissioner, ***within the biennial report pursuant to RSA 20:7***.

198 Insect Pests and Plant Diseases; Board Responsibility and Authority. Amend RSA 431:31, VI to read as follows:

VI. File a report ~~[annually]~~ ***within the biennial report pursuant to RSA 20:7***, with the senate president and speaker of the house of representatives, for distribution to all state legislators, regarding the policies and goals of the board and the enforcement of this subdivision.

199 Pesticides Training Program. Amend RSA 430:31-b, III to read as follows:

III. The department of agriculture, markets, and food shall, ***within its biennial report pursuant to RSA 20:7***, submit ~~[an annual]~~ ***a*** report~~[-beginning on July 1, 2002,]~~ to the speaker of the house, president of the senate, and the governor and council which shall include, but not be limited to, training and educational programs offered or contracted by the division of pesticide control under the training program established by paragraph I of this section, the revenue generated from the program under paragraph II of this section, and the budget and revenue projections of the division.

200 Agriculture Nutrient Management Program. Amend the introductory paragraph of RSA 431:36, II to read as follows:

II. The commissioner shall ~~[report by October 1 of each year, beginning 2002,]~~ ***within the biennial report pursuant to RSA 20:7, report*** to the house environment and agriculture committee, the senate environment committee, the house finance committee, and the senate finance committee. The report shall include:

201 Waiver in Lieu of Court Appearance; Default. Amend RSA 262:44, VIII to read as follows:

VIII. The commissioner of the department of safety shall ~~[make an annual report 60 days after the close of each fiscal year]~~ ***within its biennial report pursuant to RSA 20:7, report*** to the fiscal committee of the general court on fines and fines in default, paid and unpaid~~[-for each year beginning with 1993]~~.

202 Driver Education; Reciprocity. Amend RSA 263:20 to read as follows:

263:20 Driver Education; Reciprocity. The provisions of RSA 263:19 shall not prevent the issuance of a driver's license to any individual who can provide satisfactory evidence of completion of a course of driver education, approved by the state in which the course is offered, provided that the commissioner of safety shall determine that such course is essentially equivalent to the state's minimum standards. The commissioner shall take all reasonable steps to facilitate appropriate interstate driver education. The commissioner shall ***include in its report pursuant to RSA 20:7, a*** report ~~[at least annually]~~ to the general court on the progress of reciprocal driver education.

203 Public and Congregate Mooring Fields; Permit Required. Amend RSA 270:67, II(d) to read as follows:

(d) Operators in charge of maintaining congregate mooring fields may charge no more for the use of a mooring than an amount which reasonably covers the costs of mooring installations and maintenance. Said charges shall be reported to the division of state police ~~[who shall submit an annual report to the governor and council and the general court on all congregate mooring fields]~~.

204 Fish and Game Commission; Biennial Report to the General Court. Amend the introductory paragraph of RSA 206:9-a, I to read as follows:

I. The executive director of the fish and game department shall, ~~[not later than October 1 of each odd-numbered year]~~ ***within its biennial report pursuant to RSA 20:7***, submit a report to the governor and council and to the general court to include: a summary report of department proceedings; a description of the license fee reductions, waivers, and promotion activities pursuant to RSA 214:9-f; and recommendations for changes in the fee structure for all licenses and permits issued by the department. This report shall include consideration of:

205 Propagation of Fish and Game; Reasonable Price. Amend RSA 212:8 to read as follows:

212:8 Reasonable Price. The executive director, with the approval of the governor and council, may pay a fair and reasonable price for waters, lands or rights therein with or without buildings, required for the establishment of fish hatcheries, game farms, game refuges and fish and game department uses for the protection, regulation and management of wildlife resources and the implementation of department programs. The executive director, subject to the approval of the governor and council, may expend for the purchase of land, waters or rights therein during any year only such total sum as may be appropriated therefor. The executive director shall, ***within its biennial report pursuant to RSA 20:7***, make a report ~~[during the month of January in the years that the legislature is in session]~~ of all lands, waters or rights therein so acquired since the last report to the senate president and the speaker of the house.

206 Propagation by the State; Accounts. Amend RSA 212:23 to read as follows:

212:23 Accounts. The executive director shall keep an itemized account of all such sales or exchanges, and include the same in his biennial report to the governor and council ***pursuant to RSA 20:7***, and shall remit to the state treasurer all money received under the provisions of this subdivision, to be credited to the fish and game fund.

207 Expansion of State Park System; Development Plan. Amend RSA 216-A:3-c, VI to read as follows:

VI. The director of parks and recreation shall report to the house resources, recreation and development committee and the senate energy, environment, and economic development committee ~~[by January 31 of each year]~~ ***within the biennial report pursuant to RSA 12-A:6*** on the state of the parks and historic sites.

208 Repeal. The following are repealed:

- I. RSA 9-E:5, relative to department of transportation reporting on roadway lighting.
- II. RSA 21-H:8, IX, relative to an annual report on department of corrections operations.
- III. RSA 235:23-a, IV, relative to an annual report on the bridge and highway betterment program.
- IV. RSA 339-F:6, VII, relative to the state fire marshal's report on certification of reduced ignition propensity cigarettes.
- V. RSA 483:13, IV, relative to a report on the rivers management and protection fund.
- VI. RSA 486-A:9, II(f), relative to a report on the water supply and land grant program.
- VII. RSA 167:77-b, II, relative to a department of health and human services on TANF performance.
- VIII. RSA 167:77-d, relative to a department of health and human services report on TANF diversion.
- IX. RSA 126-I:2, V, relative to a report on the osteoporosis prevention and education program.
- X. RSA 103:11, III, relative to a report on the administration of the policemen's retirement fund.
- XI. RSA 102:12, III, relative to a report on the administration of the firemen's retirement fund.
- XII. RSA 167:96, relative to the treasurer's certification of funds available in the long-term care assistance fund.
- XIII. RSA 367:46, relative to a report on railroad stock.
- XIV. RSA 432:20, II, relative to a report by the agricultural lands preservation committee.
- XV. RSA 432:6, relative to a report on soil conservation and the domestic allotment act.
- XVI. RSA 9-C:10, relative to a report on state waste reduction and recycling.
- XVII. RSA 6:17, relative to a report by the state treasurer.
- XVIII. RSA 6:43, relative to a report on the New Hampshire excellence in higher education endowment fund.
- XIX. RSA 425:13, relative to a report by the department of agriculture, markets and food.
- XX. RSA 485:3-d, relative to a report on the status of the environmental site assessment review and groundwater management programs.
- XXI. RSA 219:21, relative to the inventory account report.
- XXII. RSA 284:11, relative to a report by the racing and charitable gaming commission.
- XXIII. 2006, 240:9, relative to department of transportation financial reports.
- XXIV. 2006, 277:4, II, relative to a report on insurance company redomestications.
- XXV. 2013, 155, relative to department of justice reports on collection of arrearages for mitigation of flooding.

XXVI. 2013, 143, accounting unit 04-96-96-960515-3005, class note 030, relative to a department of transportation status report to the capital budget overview committee.

209 Department of Agriculture, Markets, and Food; Assistant State Veterinarian; Position Established. There is established within the department of agriculture, markets, and food the unclassified position of assistant state veterinarian. The assistant state veterinarian shall be qualified to hold that position by reason of education and experience, and shall be appointed by and serve at the pleasure of the commissioner of agriculture, markets, and food. The assistant state veterinarian shall assist the state veterinarian in carrying out the duties of the department of agriculture, markets, and food, division of animal industry. The salary of the assistant state veterinarian shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be transferred into a new expenditure class 011, within accounting unit 27000000.

210 New Sections; Agriculture, Horticulture and Animal Husbandry; Assistant State Veterinarian; Powers; Salary and Expenses. Amend RSA 436 by inserting after section 9 the following new sections:

436:9-a Appointment. The commissioner of agriculture, markets, and food shall appoint a graduate of a veterinary college of recognized standing, who shall have had at least 5 years' experience in the practice of veterinary medicine, including large animal practice, and who shall be known as the assistant state veterinarian.

436:9-b Powers. The assistant state veterinarian, under the direction of the commissioner and state veterinarian, shall assist the state veterinarian with the enforcement of this chapter and any other law over which the division has regulatory authority. The state veterinarian may direct the assistant state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.

436:9-c Salary and Expenses. The assistant state veterinarian shall receive the annual salary prescribed by RSA 94:1 - RSA 94:4, and shall be allowed his or her expenses when away from the office of the department on official business.

211 New Subparagraph; Insect Pests and Plant Diseases. Amend RSA 430:31, IV by inserting after subparagraph (y) the following new subparagraph:

(z) Establish late fees pursuant to registration certificates and permits issued pursuant to RSA 430:33 and pesticide product registrations issued pursuant to RSA 430:36.

212 New Subparagraph; Standards for Weights and Measures; Rulemaking Authority. Amend RSA 438:8, I by inserting after subparagraph (l) the following new subparagraph:

(m) The imposition of late fees for all invoices that are late for service technician and weighmaster license fees, device license fees, and metrology laboratory fees, pursuant to the following schedule:

(1) For all invoices that are more than 60 days late from the date of the invoice, a 5 percent late fee shall be assessed for all invoices over \$100.

(2) For all invoices that are more than 60 days late from the date of the invoice, a \$5.00 minimum late fee shall be assessed for all invoices under \$100.

(3) For all invoices that are more than 90 days late from the date of the invoice, a 10 percent late fee shall be assessed for all invoices over \$100.

(4) For all invoices that are more than 90 days late from the date of the invoice, a \$10 minimum late fee shall be assessed for all invoices under \$100.

213 Standards for Weights and Measures; Fees for Licensing Commercial Devices. Amend RSA 438:10-a to read as follows:

438:10-a Fees for Licensing Commercial Devices.

I. The following annual device license fees shall be charged for the following categories:

[I-](a) Scales 100 pounds or less, \$18 each;

[II-](b) Scales over 100 pounds to 2,000 pounds, \$27 each;

[III-](c) Scales over 2,000 pounds to 5,000 pounds, \$54 each;

[IV-](d) Non-vehicle scales over 5,000 pounds, \$90 each;

[V-](e) Vehicle scales, \$180 each;

[VI-](f) Lift truck/forklifts, on board weighing systems/scales, \$90 each;

[VII-](g) On board weighing systems/scales, refuse or recyclable materials collection trucks, \$90 each;

[VIII-](h) Analytical balances, \$36 each;

[IX-](i) Retail motor fuel dispensers, except liquefied petroleum gas and natural gas dispensers, \$18 per meter;

[X-](j) Liquefied petroleum gas retail motor fuel dispensers, \$54 per meter;

[XI-](k) Natural gas retail motor fuel dispensers, \$54 per meter;

[XII-](l) Liquid vehicle tank meters, except liquefied petroleum gas and natural gas meters, \$54 per meter;

[XIII-](m) Liquid bulk storage meters, \$90 per meter;

[XIV-](n) Liquefied gas meters, \$90 per meter;

[XV-](o) Taxi meters, \$27 per meter; and

[XVI-](p) Linear and cordage measures, \$18 per meter.

II. An additional invoice for fees that are more than 60 days late may assess a minimum late fee pursuant to rules adopted by the commissioner.

214 New Paragraph; Sale of Pets and Disposition of Unclaimed Animals. Amend RSA 437:5 by inserting after paragraph III the following new paragraph:

IV. The rules shall establish late fees pursuant to licenses issued pursuant to RSA 437:3.

215 Nurseries and Nursery Stock; Rulemaking Authority. Amend RSA 433:22, VII to read as follows:

VII. Reasonable rules as may be needed to carry out and enforce the provisions of this subdivision **including but not limited to the imposition of late fees.**

216 Animal Care, Breeding and Feed. Amend the introductory paragraph of RSA 435:25 to read as follows:

435:25 Rulemaking. The commissioner may adopt such rules for commercial feeds and pet foods as are specifically authorized in this subdivision and such other reasonable rules as may be necessary for the efficient enforcement of this subdivision, **including but not limited to the assessment of late fees.** In the interest of uniformity, the commissioner shall by rule adopt, unless he determines that they are inconsistent with the provisions of this subdivision and are not appropriate to conditions which exist in this state, the following:

217 Standards for Farm Products; Rulemaking; Fees. Amend RSA 426:8 to read as follows:

426:8 Rulemaking; Fees. The commissioner may adopt rules, pursuant to RSA 541-A, for carrying out the provisions of this chapter, **including but not limited to the assessment of late fees.**

218 New Paragraph; Horticultural Growing Media; Registration and Labeling; Rulemaking. Amend RSA 433-A:5 by inserting after paragraph IV the following new paragraph:

V. Establishing late fees pursuant to this chapter.

219 New Subparagraph; Seeds, Plants and Nursery Stock; Duties and Authority of Commissioner; Rule-making. Amend RSA 433:7, III by inserting after subparagraph (m) the following new subparagraph:

(n) The assessment of late fees related to seed label licenses.

220 All Agencies; Administrative Services. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of mail.

221 Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.

222 Sale of Property; Laconia State School. Notwithstanding RSA 10 and RSA 227-C:9, the commissioner of the department of administrative services shall offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings, except those portions of the land and buildings required for state use. The commissioner of the department of administrative services shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40, except that review and approval of the sale of the land and buildings by the council on resources and development and the long range capital planning and utilization committee shall not be required. All proceeds from the sale shall be deposited into the general fund.

223 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 2016 and 2017 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, 2015, the unexpended portion of the appropriation shall be transferred.

224 Repeal. RSA 486:4, relative to limitation of guarantee of construction bonds for sewage disposal facilities, is repealed.

225 Department of Environmental Services; Aid to Municipalities for Water Pollution Control. Amend RSA 486:1, I(a) to read as follows:

I.(a) The state of New Hampshire shall~~[-in addition to any federal grant made available under the provisions of the Clean Water Act of 1977 (or subsequent amendments thereof);]~~ pay annually 20 percent of the annual amortization charges, meaning principal and interest, on the ~~[original]~~ **eligible** costs resulting from the acquisition and construction of sewage disposal facilities by municipalities (meaning counties, cities, towns, or village districts), in accordance with RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII, for the control of water pollution. The word "construction" shall include engineering services, in addition to the construction of new sewage treatment plants, pumping stations, intercepting sewers, and sewer separation by storm drains when the latter can be demonstrated as a cost-effective method for eliminating a combined sewer overflow structure; the altering, improving or adding to existing treatment plants, pumping stations, intercepting sewers, and sewer separation by storm drains when the latter can be demonstrated as a cost-effective method for eliminating a combined sewer overflow structure; provided the construction has been directed by the department, or constitutes a voluntary undertaking designed to control or reduce pollution in the surface waters of the state as defined in RSA 485-A:2, and the plan therefor is approved in compliance with the provisions of RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII. The term "eligible costs" as used in this ~~[section]~~ **chapter, except as noted**, shall mean the entire cost of the construction of treatment plants, pumping stations, intercepting sewers and sewer separation by storm drains as defined in the Clean Water Act of 1977, **less any other grant or subsidy. Cash payments, net of any other grant or subsidy, made by municipalities toward eligible costs shall also be eligible for state contributions in accordance with this section.**

226 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, or any other law to the contrary, for the biennium ending June 30, 2017, a moratorium shall be in place on state aid grants for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486-486-A or RSA 149-M, with the exception that infrastructure projects that had local authorization by December 31, 2008 to construct but were not listed in 2013, 144:101 continue to be eligible for state aid grants subject to availability of funding. 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 purposes.

227 New Section; Office of the Chief Operating Officer. Amend RSA 21-I by inserting after section 10 the following new section:

21-I:10-a Office of the Chief Operating Officer.

I. There is established within the department of administrative services the office of the state chief operating officer. The office shall be responsible for coordinating and implementing statewide efforts to monitor, oversee, and improve the operating efficiency, customer service, and transparency of state government activities. The chief operating officer shall regularly report to the governor and council and, the general court on ongoing efforts to improve state government efficiency, including the projected return on investment of projects.

II. There is established within the department of administrative services the unclassified position of chief operating officer, who shall be qualified to hold the position by reason of education and experience, shall be appointed by the governor, and who shall serve at the pleasure of the governor. The chief operating officer shall supervise the office of operating performance, and perform such duties as the governor may authorize and assign from time to time.

III. The salary of the chief operating officer 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. There is established with the department of administrative services a government innovation fund, to be overseen by the chief operating officer. Such fund shall be nonlapsing and continually appropriated to the department of administrative services. The chief operating officer, may, with the consent of governor and council, use the innovation fund to invest in projects to improve the efficiency of state government.

228 New Subparagraph; Government Innovation Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys appropriated to the government innovation fund established in RSA 21-I:10-a, IV.

229 Agency Reports; Racing and Charitable Gaming Deleted. Amend RSA 20:7 to read as follows:

20:7 Issuance of Reports. The following agency reports shall be issued annually: secretary of state, state treasurer, bank commissioner, insurance commissioner, division of personnel, commissioner of revenue administration, lottery commission, ~~[racing and charitable gaming commission,]~~ liquor commission, department of transportation, department of environmental services, department of safety, adult parole board, and the board of trustees of the state colleges and university. All other reports shall be issued biennially. All reports shall cover periods ending on June 30, and be submitted to the governor and council, the speaker of the house of representatives, and the senate president by October 1. Biennial reports shall cover periods ending in odd-numbered years.

230 Terms of Appointment. Amend RSA 21:33-a, III(a) to read as follows:

(a) That any commissioner or agency head of a department, as defined in RSA 21-G:5, VI, who is an unclassified employee of the state, and appointed to such position, shall serve for the appropriate term or unexpired portion thereof. The commissioner or agency head may serve beyond the appointed term or unexpired portion thereof with the written authorization of the governor, provided that such service shall not extend beyond 6 months. This subparagraph shall also apply to the adjutant general and the attorney general, and to appointees to the liquor commission, the lottery commission, ~~[the racing and charitable gaming commission,]~~ and the public utilities commission.

231 State Employees; Terms Defined. Amend RSA 98-A:1, III to read as follows:

III. "The equivalent of 6 months or more" shall mean the equivalent of 130 or more regularly scheduled work days, not necessarily consecutive, provided that whenever an employee of the ~~[racing commission or greyhound racing commission]~~ **lottery commission** is employed on any day on a per diem basis he **or she** shall be deemed to have worked one day.

232 Racing and Charitable Gaming; Subdivision Heading Changed. Amend the subdivision heading preceding RSA 284:6 to read as follows:

Racing and Charitable Gaming ~~[Commission]~~

233 Racing and Charitable Gaming Commission; Lottery Commission Authorization. Amend RSA 284:6-a to read as follows:

284:6-a Racing and Charitable Gaming; **Lottery** Commission.

I. ~~[There shall be a state racing and charitable gaming commission consisting of 6 members appointed by the governor with the advice and consent of the council. Each member shall hold office for a term of 3 years. Any vacancy shall be filled for the unexpired term. Annually, one member shall be chosen chairperson by the commission, and one shall be chosen as secretary.]~~ **The regulation of racing and charitable gaming shall be under the authority of the lottery commission established under RSA 284:21-a.**

II. The ~~[racing and charitable gaming]~~ **lottery** commission shall assume the powers, rights, duties, and responsibilities granted to the ~~[state] racing and charitable gaming commission [and the state greyhound racing commission under RSA 284, and any reference to the state racing commission or the state greyhound racing commission in RSA 284 or any other statutory cites shall be deemed to refer to the New Hampshire racing and charitable gaming commission.]~~ The ~~[New Hampshire racing and charitable gaming]~~ **lottery** commission shall, in carrying out the purpose of this chapter, use the applicable provisions for horse racing independent of the applicable provisions for simulcast dog racing.

III. The ~~[racing and charitable gaming]~~ **lottery** commission shall have all the powers, duties, and rights conferred upon state commissions under the United States Interstate Horseracing Act of 1978 as it currently exists and as it may be amended from time to time.

IV. The ~~[racing and charitable gaming]~~ **lottery** commission shall administer RSA 287-E relating to bingo and lucky 7.

V. The ~~[racing and charitable gaming]~~ **lottery** commission shall administer RSA 287-D, relating to games of chance conducted by charitable organizations.

VI. The ~~[racing and charitable gaming]~~ **lottery** commission shall not authorize the use of any electronic gaming device in connection with the acceptance of wagers on running or harness horse racing, whether live or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and devices used for the purposes of gaming, other than wagering on live or simulcast horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such shall include, but not be limited to, video slot machines and other gambling devices which function or are designed to function to emulate a video slot machine or historic racing machine. This section shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct of wagering on live or simulcast horse racing or simulcast dog racing, which type of equipment was in service prior to January 1, 2011, with updated or new equipment which are the functional equivalent of the machines which are being replaced, provided the equipment is not an electronic gaming device as described in the previous sentence. This section shall not be interpreted as prohibiting licensees from accepting account wagers in compliance with applicable rules and regulations.

234 Supervision and Hearings. Amend RSA 284:13 to read as follows:

284:13 Supervision and Hearings. The **lottery** commission shall have the power to conduct hearings at which all matters pertaining to the administration of the affairs of the commission and all activities conducted under its jurisdiction may be investigated and determined and, under the hand of its chairperson, to issue subpoenas for the attendance of witnesses at such hearings. The **lottery** commission on its own motion or at the request of any party may cause a complete record to be made of such hearings by a competent reporter or by electronic recording which shall be transcribed at the request and expense of any party desiring the same, and a copy of such transcription shall be furnished to any other party upon the written request and at the expense of such other party. If the record is not transcribed, the **lottery** commission shall prepare a summary record of the proceedings and evidence. Any member of the **lottery** commission, **or the commission's designee**, may administer oaths and affirmations ~~[and may]~~ examine witnesses, **and receive testimony and shall forward findings to the full commission as part of the hearing**. Disobedience of such subpoenas or false swearing before the **lottery** commission shall be attended with the same penalties as if such disobedience or false swearing occurred in an action in the superior court. The **lottery** commission shall have the power and authority to regulate, supervise and check the making of pari-mutuel pools and the distributions therefrom. It shall have the further power and authority to investigate as to the direct and indirect ownership and control of any licensee, and any expense incurred by the **lottery** commission in so doing shall be at the expense of such licensee or of the applicant for a license. Any party aggrieved by any final decision entered in proceedings before the **lottery** commission may, within 10 days after such decision is entered, appeal to the superior court by petition specifying the grounds upon which the decision is claimed to be unreasonable or unlawful. Findings and decisions by the **lottery** commission shall be deemed to be prima facie lawful and reasonable, and shall not be set aside on appeal unless found to be arbitrary, capricious, unreasonable, or unlawful.

II. The lottery commission may, in accordance with the rules adopted in accordance with RSA 541-A, appoint a hearings officer or hearings officers, as necessary, to preside over such hearings as are required to comply with federal and state statutes and federal or state rules or regulations. The decision of the officer shall not be contrary to rules adopted by the lottery commission pursuant to RSA 541-A. The officer's decision shall be binding on all parties unless such decision is overturned on appeal.

235 Licensees; Restriction on Gambling. Amend RSA 284:17-c to read as follows:

284:17-c Restriction on Gambling. Notwithstanding any other provision of law, except as provided in RSA 284:22-a and in the introductory paragraph of RSA 284:22, no licensee who holds running horse races shall at the same facility hold any other kinds of races or permit any other type of gambling except harness horse races and activities licensed by the lottery commission ~~[or the racing and charitable gaming commission]~~.

236 Stewards. Amend RSA 284:20 to read as follows:

284:20 Stewards. There shall be at least 3 stewards to supervise each running or harness horse race or meet, conducted under the provisions of this chapter, at which pari-mutuel pools are sold. One of such stewards shall be the official steward of the ~~[state racing]~~ **lottery** commission, and the remaining stewards shall be appointed by the person, association, corporation, or any other type of entity conducting the race or meet, subject to the approval of the commission. Said stewards shall be authorized to assess fines and suspend licenses and shall exercise such other powers and perform such duties at each race meet as may be prescribed by the rules and regulations of the **lottery** commission. Any person who has been assessed a fine or whose license has been suspended may appeal any fine or suspension imposed by the stewards under this section to the **lottery** commission.

237 Rights Protected; Liability Limited. Amend RSA 284:20-a to read as follows:

284:20-a Rights Protected. No licensee conducting a race or meet under this chapter, no member of the [state racing] **lottery** commission, no steward, judge, or assistant official appointed to act as such pursuant to the provisions of this chapter, shall be liable for damages to any person, association or corporation for any cause whatsoever arising out of or from the performance by such licensee, commissioner, steward, judge or assistant official of such person's duties and exercise of discretion with respect to such duties, so long as such person acted in good faith, without malice or improper motive.

238 Lottery Commission Revenues. Amend RSA 284:21-j, I to read as follows:

I. The state treasurer shall credit all moneys received from the lottery commission [~~and all moneys received from the racing and charitable gaming commission~~] under RSA 284, RSA 287-D, and RSA 287-E, and interest received on such moneys, to a special fund from which the treasurer shall pay all expenses of the commission incident to the administration of this subdivision and all administration and enforcement expenses of [the] racing and charitable gaming [commission] under RSA 284, RSA 287-D, and RSA 287-E. Any balance left in such fund after such expenses are paid shall be deposited in the education trust fund established under RSA 198:39.

239 Change from Racing and Charitable Gaming to Lottery. Amend the following RSA provisions by replacing "racing and charitable gaming commission" or "commission" with "lottery commission": 21-I:18, I(n); the introductory paragraph of 21-P:4, VI; 175:1, LVI; 273-C:2, VI; the introductory paragraph of 284:8; 284:12; 284:12-a; 284:13-a; 284:14; 284:15; 284:15-a; 284:15-b; 284:16; 284:16-a; 284:16-b; 284:16-c; 284:17; 284:18; 284:19; 284:20; 284:20-a; 284:20-c; 284:20-d; 284:20-f; 284:20-g; 284:21; 284:22; 284:23; 284:31; 284:32-a; 284:32-b; 284:38-a; 287-A:8, III; 787-D:1, V; 287-D:1-a; the introductory paragraph of 287-D:1-b; 287-D:2; 287-D:2-a; 287-D:2-b; 287-D:2-c; 287-D:2-d; 287-D:3; 287-D:5; 287-D:6; 287-D:8; 287-D:9; 287-E:1, VI; 287-E:2; 287-E:16; and 647:2, V(a).

240 Bingo and Lucky 7; Penalties. Amend RSA 287-E:25 to read as follows:

287-E:25 **Suspension**; Revocation. The commission shall [immediately] **suspend or** revoke the license of any licensee **and/or impose an administrative fine upon the licensee upon a finding that the licensee has violated** [who violates] any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

241 Bingo and Lucky-7; Process. Amend RSA 287-E:3, IV to read as follows:

IV. Procedures for a hearing following the revocation of a license **and the imposition of administrative orders and fines**.

242 New Paragraph; Bingo and Lucky-7; Process. Amend RSA 287-E:3 by inserting after paragraph XIV the following new paragraph:

XV. The issuance of subpoenas pursuant to RSA 287-E:14-a.

243 Administrative Orders; Subpoenas. RSA 287-E:14 is repealed and reenacted to read as follows:

287-E:14 Administrative Orders and Fines.

I. The commission, pursuant to rules adopted under RSA 287-E:18, may impose an administrative order or fine, which shall be scaled to reflect the scope and severity of the violation for each offense, upon any person who violates any provision of this chapter or rules adopted pursuant to this chapter.

II. Any administrative fine imposed under this section shall not preclude the imposition Of further penalties or administrative actions under this chapter.

III. All fines imposed by the lottery commission shall be deposited in the special fund established pursuant to RSA 284:21-j.

244 New Section; Subpoenas. Amend RSA 287-E by inserting after section 14 the following new section:

287-E:14-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings held by the commission.

245 New Paragraphs; Bingo and Lucky 7. Amend RSA 287-E:18 by inserting after paragraph VI the following new paragraphs:

VII. Procedures for a hearing following the revocation of a license, and the imposition of administrative fines.

VIII. The issuance of subpoenas pursuant to RSA 287-E:26-b.

IX. Other matters related to the proper administration of this chapter.

246 New Section; Administrative Orders and Fines. Amend RSA 287-E by inserting after section 25 the following new section:

287-E:25-a Administrative Orders and Fines.

I. The lottery commission, pursuant to rules adopted under RSA 287-E:18, may impose an administrative order and fine, which shall be scaled to reflect the scope and severity of the violation for each offense, upon any person who violates any provision of this chapter or rules adopted pursuant to this chapter.

II. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter.

III. All fines imposed by the lottery commission shall be deposited in the special fund established pursuant to RSA 284:21-j.

247 New Section; Bingo and Lucky 7; Subpoenas. Amend RSA 287-E by inserting after section 25 the following new section:

287-E:26-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings held by the commission.

248 Repeal. The following are repealed:

I. RSA 284:7, relative to the office for the racing and charitable gaming commission.

II. RSA 284:9, relative to expenses of the racing and charitable gaming commission.

III. RSA 284:11, relative to the report of the racing and charitable gaming commission.

249 Transfer of Functions, Positions, Equipment, Records, and Accounts; Rules Continued.

I. All the functions, positions, powers, duties and responsibilities of the racing and charitable gaming commission shall be transferred to the lottery commission. The transfer shall include all of the equipment, books, papers, and records of the racing and charitable gaming commission related to the above functions.

II. All existing rules, statutory responsibilities, regulations, and procedures in effect, in operation, or adopted in or by the racing and charitable gaming commission are transferred to the lottery commission, and are declared in effect and shall continue in effect until rescinded, revised, or amended in accordance with applicable law.

250 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2017, 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.

251 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, III(b) to read as follows:

(b) Beginning July 1, ~~[2013]~~ **2015**, and each fiscal year thereafter, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds ~~[108]~~ **115** percent of the total education grant distributed to such municipality in the previous fiscal year.

252 School Money; Determination of Grants. Amend RSA 198:41, IV to read as follows:

IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.

(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.

(c) For fiscal year 2014~~[-and each fiscal year thereafter]~~ **and 2015**, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.

(d) For fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the stabilization grant distributed pursuant to subparagraph (a), however, such stabilization grant shall be reduced by the amount the municipality's total education grant for 2016 is increased over the amount of the municipality's total education grant for 2015; and, if the number of pupils receiving free or reduced price lunch is less than the state average number of pupils receiving a free or reduced price lunch, then such stabilization grant shall be further reduced by 5 percent of the municipality's fiscal year stabilization grant.

(e) For fiscal year 2017, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the municipality's fiscal year 2012 stabilization grant, if any; however, the fiscal year 2012 stabilization grant shall be reduced by the lesser of 40 percent of said grant or \$750,000.

253 Repeal. RSA 198:41, III(b), relative to the cap on the total education grant to a municipality, is repealed.

254 School Building Aid; Alternative School Building Aid.

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, 2015 through June 30, 2017.

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, 2017; 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, 2017.

(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.

255 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision of law, for the fiscal years ending June 30, 2016 and June 30, 2017, 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 2015 distribution.

256 Department of Health and Human Services; Transfer Among Accounts. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2017, 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. If the department intends to transfer funds, which would otherwise meet the transfer requirements as set forth in RSA 9:17-a, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.

257 Department of Health and Human Services; Transfer Authority; Medicaid Managed Care Program. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, the commissioner of the department of health and human services is hereby authorized, by notification to the commissioner of the department of administrative services, to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to implement the Title XIX Medicaid managed care program. The commissioner shall notify the fiscal committee of the general court and governor and council of such transfers.

258 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2017, the department of health and human services shall not authorize, without prior consultation with the house health and human services and elderly affairs committee and the senate health 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.

259 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, 2017, the department of health and human services shall maintain a limit on benefits of \$2,000 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 \$2,000 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.

260 Department of Health and Human Services; Suspension of Home Health Rate Setting Rule. Notwithstanding any provision of law or rule to the contrary, He-W 553 relative to the home health services rate setting shall be suspended for the biennium ending June 30, 2017. Payments for home health services shall be limited to appropriations for home health services as may be restricted or reduced by action of the fiscal committee of the general court or by legislative action.

261 Department of Health and Human Services; 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, 2017.

262 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, 2017.

263 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, 2017, 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, RSA 169-C:27, and RSA 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, 2015.

II. Notwithstanding any provision of paragraph I, upon the department's implementation of managed care, the rate of reimbursement for Medicaid eligible 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, 2015, and the treatment or the private non-medical institution rate as agreed to by the provider and the managed care organization.

264 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, 2015. 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, 2017.

265 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, 2015. 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, 2017.

266 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire health protection program established under RSA 126-A:5, XXIII-XXV is repealed effective December 31, 2016 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which were in effect prior to the effective date of the New Hampshire health protection program.

267 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. Amend RSA 167:18-a, II(a) to read as follows:

(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]~~ **2016-2017**:

(1) State fiscal year ~~[2014, \$109,000,000]~~ **2016, \$111,717,685.**

(2) State fiscal year ~~[2015, \$112,500,000]~~ **2017, \$112,407,632.**

268 Public Health; Vaccine Association. Amend RSA 126-Q:1, III to read as follows:

III. "Assessable lives" means all children under 19 years of age residing in the state who have assessable coverage written or administered by an assessable entity, ***with the exception of children whose vaccines are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s.***

269 Public Health; Vaccine Association; Assessment Determination. Amend RSA 126-Q:4, I to read as follows:

I. The board shall determine an assessment for each assessable entity in accordance with this section, ***except that no assessment shall be made based on children excluded from assessable lives whose vaccines are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s.*** An assessment determination made pursuant to this section is a pharmaceutical cost and not a regulatory cost for purposes of calculating the carrier's medical loss ratio.

270 New Section; Homeland Security and Emergency Management; Assessment Fund. Amend RSA 21-P by inserting after section 46-a the following new section:

21-P:46-b Division of Homeland Security and Emergency Management; Assessment Fund. There is established the homeland security and emergency management assessment fund which shall be nonlapsing and continually appropriated to the department of safety, division of homeland security and emergency management from which the state treasurer shall pay expenses incurred in the administration of the division of homeland security and emergency management, under RSA 21-P:36.

271 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys deposited in the assessment fund under RSA 21-P:46-b.

272 New Section; Division of Homeland Security and Emergency Management. Amend RSA 400-A by inserting after section 39-d the following new section:

400-A:39-e Funding for the Division of Homeland Security and Emergency Management; Emergency Management Fund Established.

I. There is hereby established in the state treasury an emergency management fund for the sole purpose of funding an interagency transfer from the insurance department to the division of homeland security and emergency management within the department of safety. The amount of the interagency transfer shall equal 50 percent of the total budget approved by the general court for the division of homeland security and emer-

gency management. The fund shall be administered by the commissioner. The state treasurer shall be the custodian of the fund and all moneys and securities in the fund shall be held in trust by the state treasurer and shall not constitute money or property of the state.

II. For the purposes of this section, "affiliate" shall be as defined in RSA 401-B:1, I.

III. The state treasurer is authorized to disburse moneys from the fund upon written order of both the commissioner and commissioner of administrative services in accordance with a budget approved by the general court. The state treasurer shall be required to give bond in an amount to be fixed and with securities approved by the insurance commissioner conditioned upon the faithful performance of his or her duty as custodian of the fund.

IV. Each insurer licensed to do property and casualty insurance business in this state pursuant to RSA 401:1, I, II, V, VI, VII or VIII shall make payments to the fund each year of its pro rata share of the department's interagency transfer costs to the division of homeland security and emergency management to be appropriated out of the fund. Such share is to be computed in accordance with paragraphs V and VI.

V. For each year, the total amount of such payments made to the fund by all such insurers shall be an amount that, when combined with any available fund balance, is not less than the department's expenses for interagency transfer to the division of homeland security and emergency management for the fiscal year commencing on the July 1 in which the payments are due.

VI. The amount payable each year by each such insurer shall be computed by the commissioner as follows:

(a) Based on the annual statement filed in such year by each insurer under RSA 400-A:31, the commissioner shall ascertain each insurer's amount of gross direct premiums written for property and casualty insurance, including policy, membership and other fees, service charges, policy dividends applied in payment for insurance, and all other considerations for insurance originating from policies covering property, subjects, or risks located, resident or to be performed in New Hampshire after deducting return premiums and dividends actually returned or credited to policyholders. If any such insurer does not otherwise timely provide the commissioner with the information necessary for such ascertainment, it shall do so on or before May 1 of each year.

(b) The commissioner shall total the amounts ascertained for all such insurers under subparagraph (a) so that the commissioner has a total for each nonaffiliated individual insurer and for each group of affiliated insurers.

VII. At the close of each fiscal year, the commissioner shall review the department's actual expenditures for the interagency transfer against funds collected to determine what part of the fund balance can be treated as an offset to the commissioner's assessment for the subsequent year. To the extent that it is reasonably practicable, the commissioner shall apportion available offsets to insurers based on the insurers' relative contributions to the fund overage. The commissioner shall not be required to return previously collected assessments. Offsets shall only be used to reduce future assessment liabilities.

VIII. The commissioner shall perform the calculations required by this section and notify each insurer of the insurer's assessment payable under this section as soon as practicable after July 1 of each year.

IX. The commissioner shall be charged with the conservation of the assets of the fund. In furtherance of this purpose, the attorney general shall appoint a member of his or her staff to represent the fund in all proceedings brought to enforce payment of assessments as provided in paragraph VI.

X. This section shall not apply to fraternal benefit societies or town mutual insurance companies.

XI. Any insurer that does not pay amounts due under this section within 45 days of the billing date shall incur a late payment penalty equal to 10 percent of the amount assessed. In addition, the sum total of the assessment and penalty shall accrue with interest, from the 45th day until the date of payment, at a rate of 0.050 percent per day compounded daily.

XII. The commissioner shall restrict the authority of any insurer, who does not pay amounts due under this section within 90 days of the billing date, to servicing existing in-force business only.

XIII. For any insurer, who does not pay amounts due under this section within 180 days of the billing date, the commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state.

XIV. The commissioner may adopt rules that provide for the administration of this section in accordance with state agency accounting principles and practices.

273 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys deposited in the emergency management fund under RSA 400-A:39-e.

274 Department of Resources and Economic Development; Travel and Tourism Development Fund. Amend RSA 12-A:43-a, II to read as follows:

II. The commissioner of resources and economic development shall prepare an annual report to be presented [~~no later than December 1 of each year~~] to the ***governor and council, the fiscal committee of the general court, the*** president of the senate, ***and*** the speaker of the house of representatives[~~and the~~

~~governor and council, and filed with the state library].~~ The report shall detail the specific activities supported by, and expenditures from, the fund during the past year ***and will additionally detail the activities of the travel and tourism revolving fund established in RSA 12-A:15-a.***

275 Driver Training Fund. Amend RSA 263:52, II to read as follows:

II. The ~~[\$40]~~ ***\$43*** vanity plate service fee and the fee for renewal of vanity number plates shall automatically be credited to the driver training fund until all fees in such fund equal the amount of money estimated by the general court as available for expenditure for course materials, licensing of schools, and certification services in connection with driver training from that fund for that fiscal year. Once the driver training course materials, licensing of schools, and certification services have been funded in accordance with the legislative estimates for the current fiscal year, the next ~~[1-5]~~ ***2*** million dollars shall be transferred to the department of safety as restricted revenue, thereafter the balance of all such fees shall be transferred to the general fund and shall be available as unrestricted revenue.

276 Penalty Assessments. Amend RSA 188-F:31, I to read as follows:

I. Every court shall levy a penalty assessment of \$2 or 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked. ***Notwithstanding any law or rule to the contrary, the penalty assessment shall be levied in addition to the amount of the fine or penalty imposed by the court.***

277 Transfer of State Highway Safety Agency. The functions and responsibilities of the state highway safety agency are hereby transferred to the department of safety. The transfer shall not affect the validity of actions taken by the state highway safety agency prior to the effective date of the transfer.

278 New Paragraph; Duties of Commissioner of Safety. Amend RSA 21-P:4 by inserting after paragraph XV the following new paragraph:

XVI. Implement the state highway safety program as provided in RSA 21-P:55 through RSA 21-P:63.

279 New Subdivisions; State Highway Safety Program; Traffic Safety Commission. Amend RSA 21-P by inserting after section 54 the following new subdivisions:

State Highway Safety Program

21-P:55 Policy. It is hereby declared to be the policy of this state and in the public interest to have a highway safety program designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such program shall include, but not be limited to, improvement of driver performance, improvement of pedestrian performance, an accident record system, accident investigations, vehicle registration, operation, and inspection, highway design and maintenance, traffic control, vehicle codes and laws, surveillance of traffic and emergency services.

21-P:56 Provisions Accepted. The provisions of the federal Highway Safety Act of 1966, approved September 9, 1966, entitled "An Act to provide for a coordinated national highway safety program through financial assistance to the states to accelerate highway traffic safety programs, and for other purposes," and all acts amendatory thereof and supplementary thereto, are assented to, and the governor shall be the official of this state having the ultimate responsibility for dealing with the federal government with respect to programs and activities pursuant to carrying out the provisions of said acts.

21-P:57 Faith and Credit Pledged. The faith and credit of the state are pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all the obligations of the state incident to the acceptance of federal aid under the provisions of said act.

21-P:58 Expenditures. To meet such obligations the governor with the consent of the council is authorized to accept and expend any federal funds for the highway safety program.

21-P:59 Governor's Authority. The governor in addition to other duties and responsibilities conferred upon him or her by the constitution and laws of this state is hereby empowered to contract and to do all other things necessary in behalf of this state to secure the full benefits available to this state under the federal Highway Safety Act of 1966 and all acts amendatory and supplemental thereto, and in so doing, to cooperate with federal and state agencies, agencies private and public, interested organizations, and individuals, to effectuate the purposes of that enactment, and any and all subsequent amendments thereto. The governor shall coordinate the activities of any and all departments and agencies of this state and its subdivisions, relating thereto.

21-P:60 Local Highway Safety Programs.

I. The towns, village districts, school districts, cities, and counties are hereby authorized to establish highway safety programs.

II. A school district providing comprehensive driver training programs in accordance with the federal statutory provisions assented to in and under RSA 21-P:56 shall be eligible for reimbursement of federal funds apportioned to this state for such programs. A school district shall mean a town school district, a special school district, an incorporated school district operating within a city, a city operating a dependent school department, a cooperative school district, and an authorized regional enrollment (AREA) school.

III. Each political subdivision enumerated herein which implements highway safety programs approved by the governor in accordance with the Highway Safety Act of 1966 is eligible for reimbursement of federal funds apportioned to this state for such programs.

21-P:61 Highway Safety Unit; Governor's Representative. There is hereby created the state highway safety unit as a unit within the department of safety which shall be the agency responsible under the executive direction of the governor to develop and implement the state's highway safety program. The commissioner shall be the governor's representative with the national highway traffic safety administration and he will aid the governor in the coordination of interdepartmental activities and those of the various political subdivisions.

21-P:62 Staff. Subject to state personnel regulations and within budgetary appropriations, the commissioner shall appoint such field representatives and secretarial and clerical assistants as may be needed to carry out the purpose of this chapter.

21-P:63 Gifts and Grants. The governor is authorized to receive gifts and grants from any source, public or private, in the name of the state, and to expend these monies for the state highway safety program. Any monies accepted by the governor shall be deemed to be an appropriation of the same amount for the purposes hereof. Traffic Safety Commission

21-P:64 Establishment. There is hereby established a traffic safety commission consisting of 15 members appointed by the governor and council for a term of 5 years and until their successors are appointed and qualified. Initial appointments by the governor and council shall be as follows: 5 members for 3 years; 5 members for 4 years; 5 members for 5 years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman who shall be designated by the governor from among its membership. The term of chairman shall be for one year. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, and upon petition of 5 members, it shall be the duty of the chairman to convene the commission forthwith. Members of the commission shall receive no compensation but shall be entitled to expenses, including mileage, when in the performance of duties required hereunder.

21-P:65 Powers and Duties. The traffic safety commission is authorized to act in an advisory capacity to the commissioner.

280 Traffic Safety Commission; Continuation of Terms. Members on the effective date of this section of the traffic safety commission established by RSA 238:10 shall continue as members of the traffic safety commission under 21-P:64 until the scheduled expiration of their terms.

281 Repeal. RSA 238:1 through RSA 238:11, relative to highway safety program and traffic safety commission, is repealed.

282 Suspension; Revenue Sharing. Notwithstanding any provision of the law to the contrary, RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2017.

283 Repeal. 2014, 229:1, relative to appropriation for state matching funds for disaster assistance grants, is repealed.

284 Housing Finance Authority; Priority to Housing for Veterans. Notwithstanding the provisions of RSA 204-C:56 through 62, the housing finance authority shall give high priority to housing projects that demonstrate a commitment to providing housing to veterans.

285 Reduction in State Self-insured Health Plan Reserve. Amend RSA 21-I:30-b, I(a) to read as follows:

(a) [~~Five~~] **Three** percent of estimated annual claims and administrative costs of the health plan; and

286 Fiscal Year 2015; Funds Transferred.

I. Notwithstanding RSA 263:34-e, I, for the fiscal year ending June 30, 2015 the commissioner of the department of safety shall transfer \$90,000 from the motorcycle rider safety fund to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

II. Notwithstanding RSA 270-E:6-a, for the fiscal year ending June 30, 2015 the commissioner of the department of safety shall transfer \$210,000 from the navigation safety fund to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

III. Any remaining shortfall in revenue in the anticipated detective bureau account agency income for fiscal year 2015 after the transfers in paragraphs I and II shall be funded by a transfer by the commissioner of the department of safety from the inventory fund for reflectorized motor vehicle plates in RSA 228:25 to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

287 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade EE by inserting the following position:

EE Insurance department health reform coordinator

288 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade FF by deleting the following position:

FF Department of corrections warden, New Hampshire state prison-women

289 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade GG by inserting the following positions:

GG	Department of information technology	director of technical support services
GG	Department of information technology	director of web support
GG	Insurance department	chief financial examiner
GG	Department of corrections	warden, New Hampshire correctional facility for women

290 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade GG by deleting the following position:

GG	Insurance department	director
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291 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade HH by inserting the following positions:

HH	Department of information technology	director of operations
HH	Department of administrative services	manager of risks and benefits
HH	Department of employment security	deputy commissioner
HH	Department of revenue administration	director, division of municipal and property
HH	Insurance department	director of financial regulation

292 Compensation of Certain State Officials; Department of Administrative Services; Title of Position Amended. Amend the following position in RSA 94:1-a, I(b), salary grade HH, to read as follows:

HH	Department of administrative services	director of ~~[plant and property management]~~ procurement and support services
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293 Transfer of Positions.

I. Position 11408 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of web support. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

II. Position 16614 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of technical support services. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

III. Position 16515 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of operations. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

294 Insurance Department; Deputy Commissioner and Other Department Positions. Amend RSA 400-A:6, III-b to read as follows:

III-b. There shall be a director of ~~[examinations]~~ **financial regulation** who shall be appointed by the commissioner of insurance. He *or she* shall serve at the pleasure of the commissioner during good behavior. The director of ~~[examinations]~~ **financial regulation** shall perform such duties and exercise such powers of the commissioner pursuant to RSA Title XXXVII as the commissioner from time to time may authorize.

295 Insurance Department; Compensation. Amend RSA 400-A:8, I-II to read as follows:

I. Compensation. The salary of the commissioner, deputy commissioner, director of operations, director of ~~[examinations]~~ **financial regulation**, actuary, life, accident and health actuary, and assistants to the commissioner shall be as prescribed in RSA 94:1-a.

II. Expenses. The commissioner, deputy commissioner, director of operations, director of ~~[examinations]~~ **financial regulation**, actuary, life, accident and health actuary, and the assistants to the commissioner shall be allowed their traveling expenses while engaged in the performance of their duties.

296 Insurance Department; Deputy Commissioner and Other Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, an assistant property and casualty actuary, a compliance and enforcement counsel, *a chief financial examiner*, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, assistant property and casualty actuary, compliance and enforcement counsel, *chief financial examiner*, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

297 Salary of Financial Examinations Supervisor. Amend 2013, 205:2 to read as follows:

205:2 Salary of [Financial Examinations Supervisor] **Insurance Department Position**. [The salary of the financial examinations supervisor established in section 1 of this act 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 financial examinations supervisor.] Position 41776 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of [financial examinations supervisor] **chief financial examiner**. Funding shall be transferred into expenditure class [014] **011**, within accounting unit 02-24-24-240010-2520.

298 Financial Examinations Supervisor Position; Effective Date Amended. Amend 2013, 205:4 to read as follows:

205:4 Effective Date.

[I. Section 1 of this act shall take effect as provided in section 3 of this act.

H. ~~The remainder of~~ This act shall take effect upon its passage.

299 Repeal. The following are repealed:

I. 2013, 205:1, relative to the position of financial examinations supervisor in the insurance department.

II. 2013, 205:3, relative to the financial examinations supervisor position in the insurance department.

300 Office of Legislative Budget Assistant; General Duties. Amend RSA 14:31, III-VI to read as follows:

III. Both the audit division and the budget division shall conduct such investigations, analyses, or research into the financial activities and condition or the financial management procedures, or any specific area thereof, of any department, board, institution, commission, agency, political subdivision, or entity authorized to expend state funds for the information of the legislature, as the fiscal committee shall specifically direct. The authority of the legislative budget assistant to investigate, analyze, or research non-state agencies shall be limited to 5 entities in a 5-year period. In making any such investigation, analysis, or research, the legislative budget assistant, **and any assistants appointed pursuant to RSA 14:34 and under the direction of the legislative budget assistant**, shall have the power to examine whatever **operations**, accounts or records of, or property or things of value held by, said department, board, institution, commission, agency, political subdivision, or entity authorized to expend state funds the [fiscal committee shall deem] **legislative budget assistant deems** useful to said investigation, analysis, or research.

III-a. No department, board, institution, commission, agency, or political subdivision shall assert the attorney-client privilege in response to a request for information or examination of operations, accounts, or records by the legislative budget assistant. The attorney-client privilege shall not be deemed waived by any department, board, institution, commission, agency, or political subdivision that provides attorney-client privileged materials to the legislative budget assistant pursuant to this section. Attorney-client communications obtained from any regulated entities shall not be disclosed to the legislative budget assistant.

IV. All state departments, boards, institutions, commissions, agencies, and political subdivisions, and other entities authorized to expend state funds, shall be required to furnish to the legislative budget assistant any information, including confidential **and privileged** information, he or she may request in the course of carrying out the duties as prescribed by this section, RSA 14:31-a, and RSA 14:31-b, **including online access to such information in the state's integrated, multi-module, information technology system, and any related subsystems**, except that access to records, files, returns, or information deemed confidential information maintained by the department of revenue administration shall be controlled solely by the provisions of RSA 21-J:14. If the legislative budget assistant requires access to confidential **or privileged** information, the state entity shall furnish the information[, except for work papers as described in RSA 91-A:4, V]. In such situations, the legislative budget assistant shall be subject to the same restrictions and penalties regarding disclosure of the information as the original custodian of the information. The work product of the legislative budget assistant shall also be confidential to the extent required to preserve confidentiality required by law. Disclosure of confidential information to the legislative budget assistant shall be only for the purpose of, and to the extent necessary for, conducting audits as are required **or permitted** by law. The legislative budget assistant shall notify the head of any state department, board, institution, commission, agency, or political subdivision, or other entity authorized to expend state funds, before requiring the state entity to furnish any confidential **or privileged** information which was obtained by the entity through an exchange of information agreement with another state or the federal government. This paragraph shall not be construed to authorize disclosure to any member of the legislature or to any expert consultants, including certified public accountants and data processing experts, hired by the legislative budget assistant to assist him or her in the carrying out of the duties, except such summaries and results which do not disclose any identity required by law to be confidential **or privileged, including the attorney-client privilege**. If any entity objects to providing confidential **or privileged** information under the provisions of this paragraph, the state entity may apply to the [attorney general] **fiscal committee of the general court** for disapproval of the request. [The attorney general may examine any confidential information to which the legislative budget assistant has requested access to determine whether or not it is necessary for the legislative budget assistant to examine the information to carry out his or her duties as required by law. If the attorney general finds that such examination is not necessary, he or she shall disapprove the request, and the agency shall not be required to provide such information. If the entity

agrees to provide the requested information, or if the attorney general determines that it is necessary for the legislative budget assistant to examine the requested information, such information shall be provided to the legislative budget assistant in a mutually agreeable and compatible format.]

V. The commissioner of administrative services shall deliver to the legislative budget assistant the official financial information under the control of the commissioner as required by this section in a form unaltered from that which is finally reported in the *state's* integrated [financial], **multi-module, information technology system, including any related subsystems**. The approval of the governor, the speaker of the house of representatives, and the senate president shall be required for delivery of any other information, other than the official financial information required by this section. The right of access to information under this section shall not arise until after each transaction or event subject to RSA 91-A has taken place. Such information shall be provided to the legislative budget assistant in a mutually agreeable and compatible format at the end of each business day. The legislative budget assistant shall be subject to the provisions of RSA 21-I:13-a, II. This paragraph shall not be construed as granting the legislative budget assistant access to any information or any information system relative to the internal functions of the office of the governor or any executive agency, department, board, commission, or institution [through the integrated financial system].

VI. In addition to any other reports required by statute or by the fiscal committee to be submitted by the legislative budget assistant, he *or she* shall submit to the members of the [appropriations;] finance[;] and ways and means committees a report of the results of post-audits, program result audits, and investigations he *or she* has conducted since the date of his *or her* last such report. The fiscal committee shall determine which policy committees of both houses of the general court, in addition to those listed in this paragraph, shall receive reports pursuant to this paragraph. The report required by this paragraph shall be submitted not later than January 25 of each regular legislative session.

301 Department of Administrative Services; Additional Purchasing Authority. Amend RSA 21-I:17-a, I to read as follows:

I. The director of procurement and support services may, upon written application of the governing board of any agency, authorize such governing board, or one or more individuals designated by such board, to purchase supplies for the agency directly from vendors by the use of field purchase orders, or by the use of procurement cards issued for that purpose; provided, however, that no such field purchase order or procurement card shall be used where a total expenditure of more than \$500 is involved **unless such use is otherwise allowed by law**. The form and use of such field purchase orders or procurement cards shall be prescribed by rules adopted by the commissioner of administrative services pursuant to RSA 541-A in consultation with the state treasurer, or in the department's manual of procedures described in RSA 21-I:14, I. Rules or procedures adopted by the commissioner relative to procurement cards shall include processes for monitoring the use of such cards. Procurement cards shall be used only for [the] state purposes [permitted under this paragraph]. Unauthorized use of a procurement card may result in disciplinary action up to and including termination of employment. Any person who knowingly uses a procurement card in violation of this section shall be guilty of a misdemeanor. **Agencies' use of procurement cards shall be subject to the limitations of the amounts appropriated by the legislature.**

302 New Section; Use of Procurement Cards for Purchase of Commodities or Services. Amend RSA 21-I by inserting after section 17-c the following new section:

21-I:17-d Use of Procurement Cards for Purchase of Commodities or Services.

I. The director of procurement and support services may, upon written application of an agency, authorize the agency, or one or more individuals designated by the agency, to purchase commodities or services secured by or through the division using procurement cards issued for that purpose; provided, however, that no such card shall be used for an expenditure which is greater than the amount allowed by the division for purchases under the applicable contract, or the price allowed by the division for the commodity or service, and provided further that use of such cards shall be in accordance with paragraphs II and III.

II. Use of a procurement card under paragraph I shall not alter any other purchasing requirements which may apply to the agency or to the type of purchase at issue, including but not limited to any restrictions or limitations contained in contracts entered into by the division of procurement and support services and any processes, rules, or manual of procedures provisions adopted by the department of administrative services which are applicable to the purchase. Agencies' use of procurement cards shall be subject to the limitations of the amounts appropriated by the legislature.

III. The form and use of credit cards to conduct or pay for purchases under paragraph I shall be prescribed by rules adopted by the commissioner of administrative services pursuant to RSA 541-A in consultation with the state treasurer, or in the department's manual of procedures described in RSA 21-I:14, I. Rules or procedures adopted by the commissioner shall include processes for monitoring the use of cards. Cards shall be used only for state purposes. Unauthorized use of a card may result in disciplinary action up to and including termination of employment. Any person who knowingly uses a card in violation of this section shall be guilty of a misdemeanor.

303 New Subparagraph; Medical and Surgical Benefits: Retiree Plan. Amend RSA 21-I:30, V by inserting after subparagraph (b) the following new subparagraph:

(c) No retired employee or active employee may be enrolled in the retiree benefit plan under this section if otherwise enrolled in an active state employee benefit plan sponsored by the state.

304 Department of State. For the biennium ending June 30, 2017, and notwithstanding any other law to the contrary, the secretary of state shall have the authority to administer all elections-related responsibilities assigned to the department of state under RSA 5 and RSA 652 through 671, and pursuant to the New Hampshire constitution. This authority shall include the authority to hire staff as necessary to administer such responsibilities.

305 Obtaining a Ballot; Proof of Identity; Photograph. Amend RSA 659:13, I(c)(2) to read as follows:

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. The photograph shall be 2 inches by 2 inches, or larger, and **may** be in color **or in black and white**. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

306 New Paragraph; Commissioner of Revenue Administration; Authorization to Contract for Audit Services. Amend RSA 21-J:3 by inserting after paragraph XXX the following new paragraph:

XXXI. Have the authority, subject to appropriation, to contract with the Multistate Tax Commission for participation in audits performed by the Multistate Tax Commission on behalf of member states. While under contract with the state, the Multistate Tax Commission shall be an authorized agent of the commissioner for the purposes RSA 21-J:14-e.

307 New Subparagraph; Confidentiality; Disclosure to Multistate Tax Commission. Amend RSA 21-J:14, V by inserting after subparagraph (g) the following new subparagraph:

(h) Disclosure of department records, files, or returns to the Multistate Tax Commission, in accordance with agreements entered into with the Multistate Tax Commission, for the performance of tax audits on behalf of the state.

308 Department of Revenue Administration; Appropriation. The sum of \$163,285 from the \$658,000 settlement agreement dated December 5, 2014 under the Merrimack River Valley flood control compact is hereby appropriated to the department of revenue administration. The governor is authorized to draw a warrant for the purpose of reimbursing towns for the Massachusetts share of the Merrimack River flood control compact and the Connecticut River flood control compact for state fiscal year 2013. The department shall distribute the moneys in the manner prescribed in RSA 122:4, I. This appropriation is in addition to any other appropriations to the department. The remainder of the settlement moneys shall lapse to the general fund.

309 Flood Control; Reimbursement of Cities and Towns. Amend RSA 122:4, I to read as follows:

I. On a date not later than 30 days following the establishment and approval of tax rates for each city and town affected by and subject to the provisions of this chapter, the state treasurer shall pay to each town and city in which any taxable real estate or interest therein has been acquired under this chapter by the United States and thus become tax exempt for such year, **excluding property acquired under the interstate flood compacts contained in RSA 484:1 and RSA 484:7**, a sum equal to the taxes which would have been assessed against the real estate or interest therein in such town or city if the same had been included in the list of taxable property as proposed by the commissioner of revenue administration in RSA 122:6. For land acquired by the United States under this chapter, reimbursement shall be made upon a valuation determined as provided herein on a permanently continuing basis, and if growing wood and timber was taxable as real estate on the date of acquisition by the United States of the land on which it stood, it shall be deemed to be land hereunder. For all artificial improvements on land acquired by the United States under this chapter, including buildings, structures and other artificial real estate fixtures of any kind, reimbursement shall be made upon a valuation determined initially as provided herein and thereafter annually reduced by 2- 1/2 percent so that at the end of 40 years reimbursement therefor shall have terminated. On land and improvements thereon acquired by the United States under this chapter the initial assessed valuation of the land and improvements for purposes of reimbursement shall be the locally assessed valuation thereon for the tax year in which acquired as adjusted by the assessors and the commissioner of revenue administration acting as a joint board, so as to make such valuation proportional to the value of all other property in such town or city subject to taxation. For purposes of this section the joint board may subdivide such assessment equitably between land and improvements thereon or between real estate acquired and that not acquired, if the official assessment was not thus subdivided. The valuations of improvements thus determined shall thereafter be annually reduced over a 40-year period as above provided. On land, and artificial improvements, the valuations initially established as above provided in a town or city shall be reviewed by the commissioner at least

once in every 5 years and more frequently if reasonably necessary and be changed as necessary to make them proportional with the assessed value of all other taxable property in such town or city. The amount of the reimbursement due to each town and city hereunder shall be determined by the commissioner and certified by it to the state treasurer not later than 30 days following the establishment and approval of the tax rates of each town and city under this chapter. The commissioner shall reduce the amount of reimbursement thus determined by any amount paid or due that town or city for that year by or from the United States, another state, ~~[an interstate flood control agency]~~ or other source, because of such loss of taxable valuation. ~~[The governor is authorized to draw a warrant for the payment of such reimbursements out of any money in the treasury not otherwise appropriated.]~~ Provided, however, that reimbursement payments for loss of taxes on account of the acquisition of railroad or public utility property shall be reduced to the extent that such railroad or public utility property is relocated and reconstructed in the same town or city as a result of such acquisition, and thereby is included to that extent in the list of taxable property in said town or city as relocated.

310 New Paragraphs; Flood Control; Reimbursement to Cities and Towns. Amend RSA 122:4 by inserting after paragraph II the following new paragraphs:

III. The commissioner of the department of revenue administration shall determine the amount owed to cities and towns under the Connecticut River Valley flood control compact under RSA 484:1 and the Merrimack River Valley flood control compact under RSA 484:7. The department shall pay to cities and towns affected by the compacts the New Hampshire share of payments owed under the compacts, which shall be equal to 10 percent of the total amount owed to cities and towns under the Connecticut River Valley flood control compact and 30 percent of the total amount owed to cities and towns under the Merrimack River Valley flood control compact. The governor is authorized to draw a warrant for sums sufficient to make such payments out of any money in the treasury not otherwise appropriated. The department shall not pay to cities and towns the share of payments owed by Massachusetts or Connecticut unless payment is received from those states, in which case the department shall distribute payment to cities and towns in accordance with paragraph IV.

IV. The department of revenue administration shall distribute to cities and towns affected by the Merrimack River Valley and Connecticut River Valley flood control compacts any money received from the Commonwealth of Massachusetts and the state of Connecticut under the compacts. The department shall distribute such money to cities and towns on a pro rata basis, based on the amounts owed to cities and towns as determined by the department in accordance with paragraph III. The department shall make such payments within 30 days of receipt of any money received.

311 Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development. The provisions of RSA 78-A:26, I(b), crediting a portion of meals and rooms tax revenue to the department of resources and economic development, division of travel and tourism development, are hereby suspended for the biennium ending June 30, 2017.

312 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the fiscal year ending June 30, 2017, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office, provided the sheriff shall have entered a memorandum of understanding with the judicial branch addressing the sheriff's responsibilities, bailiffs' duties and training and certification requirements, staffing requirements and emergency plans for each courthouse, security incident reporting, and equipment responsibilities.

313 Entry Fees; Pro Hac Vice. Amend RSA 490:24, I to read as follows:

I. For the benefit of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid *with 50 percent deposited* into the law library revolving fund established in RSA 490:25, III *and 50 percent deposited into the general fund*.

314 Judicial Branch Family Division Clerks; Fees. Amend RSA 490-D:12, II to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid *with 50 percent deposited* into the law library revolving fund established in RSA 490:25, III *and 50 percent deposited into the general fund*.

315 Superior Court Fees. Amend RSA 499:18 to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

316 District Court Fees. Amend RSA 502-A:28, II to read as follows:

II. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

317 Probate Court Entry Fees. Amend RSA 547:27-c, II to read as follows:

II. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

318 Statement of Purpose. The general court hereby establishes a project whereby felony complaints and misdemeanors and violation level charges directly related to those felonies shall be filed exclusively with the superior court. This project shall be referred to as the felonies first project. The purpose of this project is to more effectively manage the flow of felony cases and related misdemeanors and violation level charges from case initiation through disposition. The general court finds that this will result in significant time savings for the court, lawyers, and litigants, leading to more effective justice earlier in the court process.

319 New Chapter; Criminal Procedure in Superior Court. Amend RSA by inserting after chapter 592-A the following new chapter:

CHAPTER 592-B CRIMINAL PROCEDURE IN SUPERIOR COURT

592-B:1 Jurisdiction. The superior court shall have exclusive jurisdiction over felony complaints and misdemeanors and violation level charges that are directly related to those felonies. The superior court shall also have jurisdiction over de novo appeals of class A misdemeanors pursuant to RSA 599:1.

592-B:2 Implementation Plan.

I. Beginning January 1, 2016, the felonies first project shall become effective in the Cheshire county and Strafford county superior courts.

II. This chapter shall take effect in the remaining superior courts as of the date set forth in an order issued by the supreme court. The remaining superior courts shall be added to the project in approximately the following order:

- (a) Merrimack county superior court.
- (b) Carroll county superior court and Belknap county superior court.
- (c) Hillsborough county superior court-northern district and Hillsborough county superior court-southern district. The municipalities included in each district shall be as listed in RSA 496:1.
- (d) Grafton county superior court and Coos county superior court.
- (e) Rockingham county superior court and Sullivan county superior court.

III. All felony and any directly related misdemeanors or violation level offenses alleged to have occurred on or after the effective date of this chapter in the county in which the offense allegedly occurred shall be filed in the superior court. All felony and any directly related misdemeanors or violation level offenses alleged to have occurred prior to the effective date of this chapter in the applicable county shall be filed under the law as it existed at the time of the alleged offense.

IV. The supreme court shall adopt rules and issue orders to effectuate the purposes of the felonies first project.

V. During the implementation of the felonies first project, this chapter shall supersede any statutory references to the filing of felony charges in circuit court district division or other statutes that are inconsistent with this chapter.

VI. Prior to the implementation of this chapter in counties other than Cheshire county and Strafford county, the supreme court shall issue a report on the implementation of this chapter to the senate president, the speaker of the house of representatives, and the chairpersons of the senate and house judiciary committees. Beginning January 1, 2017 and ending in January, 2020, the supreme court shall issue an annual report on the implementation of this chapter to the senate president, the speaker of the house, and the chairpersons of the senate and house judiciary committees.

592-B:3 Commencement of Criminal Proceeding.

I. Criminal proceedings in superior court shall be commenced by the filing of a complaint by the attorney general, county attorney or the county attorney's designee, or by indictment by the grand jury. If a complaint is filed, the accused shall subsequently be indicted by a grand jury or waive grand jury indictment pursuant to RSA 601:2 for the case to proceed.

II. The complaint shall be addressed to the court and shall set forth by name or description the party accused and the offense charged. The description of an accused may include an identifiable ridge skin impression or a DNA profile. A complaint that contains only an identifiable ridge skin impression or DNA profile, and that alleges one or more of the following offenses shall, upon its filing, toll the applicable statute of limitations under RSA 625:8 for:

- (a) Capital murder under RSA 630:1.
- (b) First degree murder under RSA 630:1-a.
- (c) Second degree murder under RSA 630:1-b.
- (d) Manslaughter under RSA 630:2.
- (e) Negligent homicide under RSA 630:3.
- (f) First degree assault under RSA 631:1.
- (g) Second degree assault under RSA 631:2.
- (h) Aggravated felonious sexual assault under RSA 632-A:2.
- (i) Felonious sexual assault under RSA 632-A:3.
- (j) Kidnapping under RSA 633:1.
- (k) Arson under RSA 634:1, I-III.
- (l) Robbery under RSA 636:1.

592-B:4 Warrants. A justice of the peace or justice of the superior or circuit court, upon such complaint or indictment, may issue a warrant for the arrest of the person so charged with an offense committed or triable in the county, directed to the sheriff of any county or his deputy or to any constable or police officer of any town in the county.

592-B:5 When Warrants Returnable to Superior Court. If such warrant is issued, it shall be made returnable before the superior court having jurisdiction over the case and not elsewhere.

592-B:6 Discovery.

I. Prior to indictment, the accused shall have the same rights to discovery and deposition as the accused has subsequent to indictment, provided that all judicial proceedings with respect thereto shall be within the jurisdiction of the superior court, and notice of petition and hearing shall be given to the county attorney, or to the attorney general if the attorney general shall have entered the case.

II. For incarcerated defendants, the state shall provide or make available to defense counsel copies of all discovery in its possession, no more than 10 calendar days after the arraignment of the defendant, unless otherwise ordered by the court. For non-incarcerated defendants, the state shall provide or make available to defense counsel copies of all discovery in its possession, no more than 20 calendar days after the arraignment of the defendant, unless otherwise ordered by the court. The state may request an extension of the discovery deadlines for complex case types.

III. The state shall have a continuing obligation to provide discovery to defendants as it becomes available.

592-B:7 Probable Cause.

I. A defendant may challenge probable cause during the period from arrest to indictment by motion requesting a probable cause hearing under the following conditions:

- (a) A complaint has been filed in superior court;
- (b) The defendant has not been indicted by the grand jury; and
- (c) The defendant asserts a claim that a material element of the charge is without factual basis or that the charge is legally insufficient to constitute a felony offense.

II. Upon review of the motion, the court shall determine whether a hearing is necessary to assist the court in its determination of probable cause. If a hearing is scheduled, it shall be held as soon as the court docket permits, but in any event within 10 days of the filing of the motion if the defendant is incarcerated and within 20 days of the filing of the motion if the defendant is not incarcerated.

III. If an arrest is supported by an affidavit that was filed under seal, and the affidavit remains under seal at the time of the request for a probable cause hearing, a hearing shall be scheduled.

IV. If a hearing is held, the state shall bear the burden of proving there is probable cause to believe that a felony has been committed and that the person charged has committed it. At the hearing, the defendant may cross-examine witnesses and present evidence.

320 Competency; Commitment for Evaluation. Amend RSA 135:17, I(a)-(b) to read as follows:

I.(a) When a person is charged or indicted for any offense, or is ~~[bound over by any district or superior court to await]~~ **awaiting** the action of the grand jury **on any felony**, the ~~[district]~~ **circuit** or superior court before which he or she is to be tried, if a plea of insanity is made in court, or said court is notified by either party that there is a question as to the competency or sanity of the person, may make such order for a pre-trial

examination of such person by a qualified psychiatrist or psychologist on the staff of any public institution or by a private qualified psychiatrist or psychologist as the circumstances of the case may require, which order may include, though without limitation, examination at the secure psychiatric unit on an out-patient basis, the utilization of local mental health clinics on an in- or out-patient basis, or the examination of such person, should he or she be incarcerated for any reason, at his or her place of detention by qualified psychiatrists or psychologists assigned to a state or local mental health facility. Such pre-trial examination shall be completed within 45 days in the case of a person being held at a county correctional facility, otherwise 90 days after the date of the order for such examination, unless either party requests an extension of this period. For the purposes of this paragraph and RSA 135:17-a, III, "qualified" means board-eligible or board-certified in forensic psychiatry or psychology, or demonstrated competence and experience in completing court-ordered forensic criminal evaluations. A licensed out-of-state psychiatrist or psychologist who meets the definition of qualified may also conduct evaluations under this paragraph and RSA 135:17-a, III.

(b) In cases where the person is being held at a county correctional facility **or the New Hampshire state prison**, the facility may request a pre-trial examination of such person for the purpose of determining if the person is competent to stand trial. Such request shall be reviewed, and a decision rendered by the district or superior court before which he or she is to be tried.

321 Competency; Commitment for Evaluation. Amend the introductory paragraph of RSA 135:17, II to read as follows:

II. The ~~[district]~~ **circuit** or superior court may allow the parties to obtain separate competency evaluations if such request is made and the circumstances require it. The competency evaluations shall address:

322 Study, Treatment and Care of Inebriants; Acceptance and Admissions. Amend RSA 172:13, II to read as follows:

II. When a person is indicted for any felony~~[- is bound over by any district or municipal court to await]~~ **or is awaiting** the action of the grand jury on any felony, or is charged with a misdemeanor, and question as to the drug or alcohol dependency of the person is raised by either party, any justice of the superior~~[- district]~~ or ~~[municipal]~~ **circuit** court **having jurisdiction over the matter** may, after hearing, order such person to be examined in accordance with the instructions of the commissioner to determine whether said person is drug or alcohol dependent. The commissioner shall report the results of the examination and his findings to the court in writing.

323 Jurisdiction and Procedure Generally; Superior Court. Amend RSA 592-A:1 to read as follows:

592-A:1 Superior Court. The superior court has jurisdiction of all criminal cases and proceedings; but it may dismiss a prosecution originally begun therein which is within the jurisdiction of a ~~[district or municipal]~~ **circuit** court.

324 Search Warrants; Requisites of Warrant. Amend RSA 595-A:2 to read as follows:

595-A:2 Requisites of Warrant. Search warrants shall designate or describe the person, building, vessel, or vehicle to be searched and shall particularly describe the property or articles to be searched for. They shall be substantially in the form prescribed in RSA 595-A:3 and shall be directed to a sheriff or his deputy or to a constable or police officer, commanding him to search in the daytime, or if the warrant so directs, in the nighttime, the person, building, vessel, or vehicle where the property or articles for which he is required to search are believed to be concealed, and to bring such property or articles when found, and the persons in whose possession they are found, before any ~~[district]~~ **circuit** or ~~[municipal]~~ **superior** court named therein.

325 Preliminary Examinations; Adjournments. Amend RSA 596-A:1 to read as follows:

596-A:1 Adjournments. When an accused person is brought before a ~~[district or municipal]~~ **circuit** court, upon a warrant or complaint, for trial ~~[or preliminary examination]~~, the proceedings may be adjourned for cause, from time to time, as shall be adjudged reasonable, and the accused may be detained in custody, or required to recognize, with or without sureties, for ~~[his]~~ **the accused's** appearance, as the nature of the case may require.

326 Bail and Recognizances; Probationees and Parolees. Amend RSA 597:1-d, I to read as follows:

I. If there is a judicial finding of probable cause to believe that a person has committed a violation of RSA 630, RSA 631, RSA 632-A:2-4 or RSA 633:1-3 from an arrest warrant affidavit ~~[or an affidavit issued pursuant to district court administrative order number 91-03 or any other district court administrative order which supersedes it]~~ and the person is on probation or parole for a conviction of a violent crime listed in RSA 651:4-a or a substantially similar crime in any state or federal court in this or any other state, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, it is presumed that release on bail and imposition of any condition or set of conditions listed in RSA 597:2 will not reasonably assure the appearance of the person as required and will endanger the safety of the person or of any other person or the community.

327 Bail and Recognizances; When Requirable. Amend RSA 597:5 to read as follows:

597:5 When Requirable. Every court and justice may, when a person is accused of an offense in which said court or justice is authorized to receive bail, release said person on personal recognizance or require ~~[him]~~ **said person** to recognize, with sureties, to appear at a future time before ~~[himself]~~ **said court or justice** or any other competent tribunal. **Bail in felony cases is returnable only to the superior court.**

328 Chapter Heading. Amend the chapter heading of RSA 599 to read as follows:

CHAPTER 599

APPEALS FROM CONVICTIONS IN ~~[MUNICIPAL OR DISTRICT]~~ **CIRCUIT** COURT

329 Appeals From Convictions in Circuit Court. Amend RSA 599:1 to read as follows:

599:1 Appeals. A person convicted by a ~~[district]~~ **circuit** court of a class A misdemeanor, at the time the sentence is declared, may appeal therefrom to obtain a de novo jury trial in the superior court, which shall hear the appeal. The appeal shall be entered by the defendant at the next return day unless for good cause shown the time is extended by the superior court. If, after a jury trial in the superior court, the defendant is found guilty, the superior court shall sentence the defendant, and the defendant may appeal questions of law arising therefrom to the supreme court. In the event the defendant waives the right to jury trial after the case has been appealed, the superior court shall forthwith remand the case to the ~~[district]~~ **circuit** court for imposition of the sentence originally imposed by the ~~[district]~~ **circuit** court, and the defendant may appeal questions of law arising therefrom to the supreme court. In all misdemeanor cases which are appealed to superior court~~[or in which defendants are bound over]~~, it shall be the duty of the superior court to transmit to the justice of the ~~[district]~~ **circuit** court, within 10 days after the case is finally disposed of, a certificate showing the final disposition of the case.

330 Indictments, Informations, and Complaints; Waiving Indictment. Amend RSA 601:2 to read as follows:

601:2 Waiving Indictment. Any person who has been ~~[bound over or]~~ committed by a justice ~~[or district or municipal court under the provisions of RSA 592-A:4 or 6]~~ for trial in the superior court upon a complaint charging a crime not punishable by death, and who desires to waive indictment, ~~[may apply in writing to the superior court for prompt arraignment upon such complaint]~~ **shall notify the court.** Upon ~~[the filing of such an application;]~~ **such notification, the attorney general or** the county attorney may, with the approval of the court, proceed against the defendant by complaint, and in such case ~~[he]~~ **the defendant** shall be held to answer and the court shall have as full jurisdiction of the complaint as if an indictment had been found. The arraignment of the defendant shall be at such time as the court may designate. Every person when so committed ~~[or bound over]~~ upon such a complaint shall be notified by the court of his right to apply for waiver of indictment and prompt arraignment as aforesaid.

331 Arrests in Criminal Cases; Place and Time of Detention. Amend RSA 594:20-a to read as follows:

594:20-a Place and Time of Detention.

I. When a person is arrested with or without a warrant he or she may be committed to a county correctional facility, to a police station or other place provided for the detention of offenders, or otherwise detained in custody; provided, however, that he or she shall be taken before a ~~[district]~~ **circuit** court, **or a superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies**, without unreasonable delay, but not exceeding 24 hours, Saturdays, Sundays, and holidays excepted, to answer for the offense.

II. Notwithstanding the provisions of paragraph I, defendants detained under RSA 173-B shall have timely access to a bail hearing by telephonic means or otherwise as determined by the ~~[district]~~ **circuit** court **or the superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies.**

332 Indictments, Informations, and Complaints; Additional Charges. Amend RSA 601:3 to read as follows:

601:3 Additional Charges. If the **attorney general or the** county attorney desires to charge a defendant making application under RSA 601:2 with a crime or crimes not punishable by death other than a crime charged in the complaint upon which the defendant has been committed ~~[or bound over]~~, the **attorney general or the** county attorney may, before consenting to such application, prepare a complaint or complaints charging such other crime or crimes and serve the same upon the defendant in order that he may have an opportunity to waive indictment upon such other charges. ~~[If an application for waiver of indictment as to any such other charge is subsequently filed, the court shall, before approving such application, require an affidavit of service upon the defendant as part of the record of the case.]~~ The superior court shall by rule establish forms for application to waive indictment under this chapter and may by rule make such other regulations of procedure under this chapter as justice may require.

333 Repeal. The following are repealed:

- I. RSA 502-A:13, relative to binding over by district court.
- II. RSA 592-A:4, relative to binding over by justice.
- III. RSA 596-A:2, relative to the record in preliminary examinations.
- IV. RSA 596-A:3, relative to caution to accused in preliminary examinations.
- V. RSA 596-A:4, relative to procedure in preliminary examinations.
- VI. RSA 596-A:5, relative to testimony of the accused in preliminary examinations.
- VII. RSA 596-A:6, relative to excluding witnesses in preliminary examinations.
- VIII. RSA 596-A:7 relative to commitment and bail in preliminary examinations.
- IX. RSA 597:6 relative to appearance at superior court.
- X. RSA 597:11 relative to copies and binding over.

XI. RSA 604:1-a relative to discovery in criminal matters.

334 Application; Contingency. Sections 318-333 of this act shall take effect on January 1, 2016 in Cheshire county and Strafford county. This act shall take effect in the remaining counties as of the date set forth in an order of the supreme court as provided for in RSA 592-B:2, II, which order shall be issued at least 90 days prior to the effective date of the act in a particular county. The repeals in section 15 of this act shall take effect on the date on which this act is effective for all counties. In addition to such other notice as the supreme court deems necessary, the court shall send copies of its orders implementing this act in counties other than Cheshire and Strafford to the secretary of state and the director of legislative services.

335 Pistols and Revolvers; Armed Career Criminals. Amend RSA 159:3-a, II-III to read as follows:

II. Any person who violates paragraph I shall be guilty of a felony and, notwithstanding RSA 651:2, II, shall be sentenced to a ~~[minimum mandatory term of 10 years imprisonment and a]~~ maximum term of imprisonment of not more than 40 years and shall be fined not more than \$25,000.

III. Notwithstanding any other provision of law, neither the whole, nor any part of the ~~[minimum mandatory]~~ sentence provided under paragraph II shall be served concurrently with any other term, nor shall the whole or any part of such additional term of imprisonment be suspended or deferred. No action brought to enforce sentencing under this section shall be continued for sentencing, nor shall the provisions of RSA 651:20 relative to suspensions or RSA 651-A relative to parole apply to any sentence of imprisonment imposed.

336 Habitual Offenders; Penalty. Amend RSA 262:23 to read as follows:

262:23 Penalty.

I. It shall be unlawful for any person to drive any motor vehicle on the ways of this state while an order of the director or the court prohibiting such driving remains in effect. If any person found to be an habitual offender under the provisions of this chapter is convicted of driving a motor vehicle on the ways of this state while an order of the director or the court prohibiting such operation is in effect, he or she shall be guilty of a felony and sentenced, notwithstanding the provisions of RSA title LXII, to imprisonment for not ~~[less than one year nor]~~ more than 5 years. No ~~[portion of the minimum mandatory sentence shall be suspended, and no]~~ case brought to enforce this chapter shall be continued for sentencing; provided, however, that any sentence or part thereof imposed pursuant to this section may be suspended in cases in which the driving of a motor vehicle was necessitated by situations of apparent extreme emergency which required such operation to save life or limb. Any sentence of one year or less imposed pursuant to this paragraph shall be served in a county correctional facility. The sentencing court may order that any such offender may serve his or her sentence under home confinement pursuant to RSA 651:19 based on the rules and regulations of the county correctional facility where the sentence is to be served ~~[for the minimum mandatory term or any portion thereof]~~, provided the offender first serves 14 consecutive days of imprisonment prior to eligibility for home confinement. Habitual offenders shall only be eligible for the home confinement program once per lifetime. Any sentence of more than one year imposed pursuant to this paragraph shall be served in the state prison.

II. For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit or privilege to drive is suspended or revoked, or is charged with driving without a license, the court before hearing such charge shall determine whether such person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state. For the purposes of this section, in determining whether the person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state, a certified copy of the individual's motor vehicle record on file with the division shall be as competent evidence in any court within this state as the original record would be if produced by the director as legal custodian thereof.

III. ~~[Notwithstanding paragraph I, any person who qualifies under RSA 259:39 shall not be subject to the minimum mandatory provisions of paragraph I if, and only if, that person's certification was not based on any conviction under RSA 265-A:2, I or any misdemeanor or felony motor vehicle conviction pursuant to RSA title XXI, and that person has not been convicted of any such offense, or any reasonably similar offense in any jurisdiction within the United States and Canada, since the date of the certification; provided, however, that any such person shall be guilty of a class A misdemeanor and may be sentenced to one year or less.]~~ Any person incarcerated upon the effective date of this paragraph, pursuant to certification as an habitual offender under RSA 259:39, who does not have a conviction under RSA 265-A:2, I involving a vehicle or any misdemeanor or felony motor vehicle convictions pursuant to RSA title XXI, may apply immediately to the superior court for sentence review and reduction.

337 License Suspension and Revocation; Driving After Revocation or Suspension. Amend RSA 263:64, IV to read as follows:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3,

RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and shall be sentenced to imprisonment for a period not ~~[less]~~ **more** than 7 consecutive 24-hour periods to be served within 6 months of the conviction, shall be fined not more than \$1,000, and shall have his or her license or privilege revoked for an additional year. ~~[No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court.]~~ No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. ~~[No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.]~~

338 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, I(c)(3) to read as follows:

(3) Sentenced to ~~[a mandatory sentence of not less]~~ **not more** than 35 consecutive days in the county correctional facility, of which 21 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 14 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

339 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, IV(a)-(b) to read as follows:

(a) For a second offense:

- (1) The person shall be guilty of a class A misdemeanor;
- (2) The person shall be fined not less than \$750;

(3)(A) If the complaint alleges that the prior conviction occurred within 2 years preceding the date of the second offense, the person shall be sentenced to ~~[a mandatory sentence of not less]~~ **not more** than 60 consecutive days in the county correctional facility, of which 30 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

(B) If the complaint alleges that the prior conviction occurred more than 2 but not more than 10 years preceding the date of the second offense, the person shall be sentenced to ~~[a mandatory sentence of not less]~~ **not more** than 17 consecutive days in the county correctional facility, of which 12 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 5 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period; and

(4) The person's driver's license or privilege to drive shall be revoked for not less than 3 years. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(b) For a third offense, any person convicted under this paragraph shall be subject to all the penalties of subparagraph (a) except that:

(1) The person's driver's license or privilege to drive shall be revoked indefinitely and shall not be restored for at least 5 years. At the end of the 5-year minimum revocation period the person may petition the court for eligibility to reapply for a driver's license and the court, for good cause shown, may grant such eligibility subject to such terms and conditions as the court may prescribe. Any untimely petition under this subparagraph shall be dismissed without a hearing. If such petition is granted and the person is otherwise eligible for license restoration, the person may then apply to the director for restoration of driver's license, but the license shall not be restored until all requirements under law are met. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(2) The person shall be sentenced to ~~[a mandatory sentence of not less]~~ **not more** than 180 consecutive days of which 150 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period. The remainder of the sentence may be deferred for a period of up to 2 years. The court may, at the satisfactory completion of any required treatment, suspend any remaining deferred sentence.

340 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, VII to read as follows:

VII. ~~[No portion of the minimum mandatory sentence of imprisonment and no portion of the mandatory sentence of the period of revocation and no portion of any fine imposed under this section shall be suspended or reduced by the court.]~~ No case brought to enforce this section shall be continued for sentencing for longer than 35 days. ~~[No person serving the minimum mandatory sentence under this section shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19; or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by RSA title LXII or any other provision of law.]~~

341 Controlled Drug Act; Penalties. Amend RSA 318-B:26, V-VI to read as follows:

V. Any person who violates this chapter by manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog, in or on or within 1,000 feet of the real property comprising a public or private elementary, secondary, or secondary vocational-technical school, may be sentenced to a term of imprisonment or fine, or both, up to twice that otherwise authorized by this section. ~~[Except to the extent a greater minimum sentence is otherwise provided by this chapter, a sentence imposed under this paragraph shall include a mandatory minimum term of imprisonment of not less than one year. Neither the whole nor any part of the mandatory minimum sentence imposed under this paragraph shall be suspended or reduced.]~~

VI. Except as otherwise provided in this paragraph, a person convicted under RSA 318-B:2, XII as a drug enterprise leader ~~[shall be sentenced to a mandatory minimum term of not less than 25 years and]~~ may be sentenced to a maximum term of not more than life imprisonment. The court may also impose a fine not to exceed \$500,000 or 5 times the street value of the controlled drug or controlled drug analog involved, whichever is greater. ~~[Upon conviction, the court shall impose the mandatory sentence unless the defendant has pleaded guilty pursuant to a negotiated agreement or, in cases resulting in trial, the defendant and the state have entered into a post-conviction agreement which provides for a lesser sentence. The negotiated plea or post-conviction agreement may provide for a specified term of imprisonment within the range of ordinary or extended sentences authorized by law, a specified fine, or other disposition. In that event, the court at sentencing shall not impose a lesser term of imprisonment or fine than that expressly provided for under the terms of the plea or post-conviction agreement.]~~

342 Methamphetamine-Related Offenses; Manufacture of Methamphetamine. Amend RSA 318-D:2, II to read as follows:

II. Notwithstanding the provisions of RSA 318-B:26, I, a person convicted under this section may be sentenced to imprisonment for not more than 30 years, a fine of not more than \$500,000, or both. A person convicted under this section who has one or more prior offenses as defined in RSA 318-B:27, ~~[shall]~~ **may** be sentenced **up** to ~~[imprisonment for not less than 5 years and not more than]~~ life imprisonment, **and** a fine of not more than \$500,000, or both.

343 Discretionary Sentences; Release for Purpose of Gainful Employment, Rehabilitation, or Home Confinement. Amend RSA 651:19, I to read as follows:

I. **(a)** A sentencing court may recommend at the time of sentencing, or the superintendent of the county correctional facility may, at any time during the sentence, allow any person who has been committed to a correctional institution other than state prison under a criminal sentence to be released therefrom for the purpose of obtaining and working at gainful employment, for the performance of uncompensated public service as provided in RSA 651:68-70, under the terms of a day reporting program, provided the correctional facility has a day reporting program, or to serve the sentence under home confinement, provided the correctional facility has a home confinement program.

(b) *A sentencing court shall include the use of home confinement in the sentencing orders for any person convicted of a nonviolent offense with no minimum sentence, subject to the provisions of paragraphs II-IV. In this subparagraph, "nonviolent offense" shall have the same meaning as in RSA 651-A:2, VI.*

344 Reference Change. Amend RSA 176:16, IV to read as follows:

IV. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper funding of retirement and health benefits for commission employees, the ~~commission~~ **commissioner** may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize the transfer of funds from the liquor commission fund.

345 Transfer of funds; Liquor Commission. RSA 176:16, V is repealed and reenacted to read as follows:

V. The commissioner is authorized to transfer funds within and among all accounting units within the commission's operating budget 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. Any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.

346 Site Evaluation Committee Fund. Amend RSA 162-H:21, II to read as follows:

II. The site evaluation committee fund shall be funded upon request of the committee by a one-time grant, not to exceed \$500,000, which may be received in installments, from the renewable energy fund established in RSA 362-F:10. The initial transfer to the fund shall occur following approval by the fiscal committee of the general court of a proposed budget plan for fiscal year 2015 as provided in paragraph III. Any subsequent transfer requests of the one-time grant from the renewable energy fund shall require prior approval of the fiscal committee. ***Any unused portions of the \$500,000 shall not lapse and may be budgeted and expended by the site evaluation committee for the biennium ending June 30, 2017.***

347 New Section; Employee Health Insurance. Amend RSA 21-I by inserting after section 26 the following new section:

21-I:26-a Excise Tax; Patient Protection and Affordable Care Act. The state, or any political subdivision of the state, shall not provide any health insurance plan to its employees subject to the excise tax on high cost employer-sponsored health coverage under the Patient Protection and Affordable Care act of 2009, Public Law 111-148, as amended, unless the expenses associated with such tax is borne by the plan participants. The expenses arising from the excise tax shall not be transferred to the public.

348 Applicability. Section 347 of this act shall not apply to any health insurance plan in effect on the effective date of this act.

349 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2017, any state agency or department is authorized, with the prior written 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. Any lease-purchase agreements entered into under this provision are exempt from approval by governor, with the advice of council, under RSA 4:15.

350 Fees Increased. Amend RSA 261:141, III(cc) to read as follows:

(cc) For each vanity number plate set—~~[\$40]~~ **\$43**.

351 Allocation of Unrestricted Highway Fund Appropriations. RSA 9:9-b is repealed and reenacted to read as follows:

9:9-b Allocation of Unrestricted Highway Fund Appropriations. In each biennium, highway fund appropriations, including costs of collections of the department of safety, shall be subject to the following limitations:

I. Department of transportation: Not less than 73 percent of anticipated total gross road toll and motor vehicle fees and fines for the biennium.

II. Department of safety: Not to exceed 26 percent of total anticipated gross road toll and motor vehicle fees and fines for the biennium.

III. All other agencies: Not to exceed 1 percent of total anticipated gross road toll and motor vehicle fees and fines for the biennium.

352 Highway Fund; Construction and Reconstruction 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 ~~[total]~~ **gross** road toll revenue and motor vehicle fees collected in the preceding 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. The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.

I-a. Apportionment A calculations in paragraph I shall not include the amount of road toll revenue attributable to rates that exceed \$.18 per gallon in each fiscal year for the biennium ending June 30, 2017.

353 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of [~~\$2,000~~] **\$2,036** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school.

354 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of \$2,036 **for the Virtual Learning Academy Charter School and \$3,036 for all other chartered public schools** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. **Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor.**

355 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission, in consultation with the department of administrative services, is hereby authorized to purchase, in the name of the state, land and buildings to serve as the lottery commission's headquarters. Such purchase shall be completed during the biennium ending June 30, 2017 and shall require approval of the fiscal committee of the general court and the governor and council.

356 Repeal. RSA 284:21-u, relative to the prohibition on future employment of certain employees of the lottery commission, is repealed.

357 Lottery Commission; Executive Director. Amend RSA 284:21-b to read as follows:

284:21-b Organization.

I. The commissioners shall select one from their number to be chairperson and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the commission and to preserve all books, documents, papers and records addressed to its care.

II. The commissioners shall appoint an executive director who shall receive the annual salary prescribed by RSA 94:1-a. The lottery executive director shall hold office for a term of 4 years. If a vacancy shall occur, it shall be filled for the remainder of the term. The lottery executive director may be removed by the commission for cause. Upon the effective date of this paragraph, the person who was the executive director shall commence the beginning of the first 4 year term, subject to renewal.

358 New Paragraph; Building Code Review Board; Travel Reimbursement. Amend RSA 155-A:10 by inserting after paragraph VI the following new paragraph:

VII. Members of the board shall receive mileage at the rate established in the United States Internal Revenue Code and Regulations when attending meetings of the board for the round trip distance from their residences to the location of the board meeting.

359 Department of Safety; Transfer Among Accounts. Notwithstanding any provision of law to the contrary, except RSA 9:17-c and RSA 99:4, for the biennium ending June 30, 2017, the commissioner of the department of safety is hereby authorized to transfer funds between and among all class lines and 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 law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that any transfer over \$75,000 shall require prior approval of the fiscal committee of the general court.

360 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such accounting unit with the following:

ORGANIZATION NOTES

*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between and among said classes. The appropriations shall not lapse or be used for any other purpose. The appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14 of this act or any other budget reduction, including executive orders required of the department of health and human services. Any balance remaining at the end of each fiscal year shall be paid as additional rates based upon the rate setting methodology in effect at that time in a special rate adjustment.

361 Health and Human Services; Nursing Home Appropriations. Pursuant to the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for any balance that remained at the end of fiscal year 2014, the department of health and human services shall pay the entire amount immediately upon passage of this act in a special rate adjustment. Upon payment of a special rate adjustment made pursuant to this act, the department shall report the total amount of surplus, by source of funds, the total amount paid, and the date payment was made to the fiscal committee of the general court.

362 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, 2017.

363 Certificate of Need; Repeal. Upon repeal of the certificate of need law on June 30, 2016, pursuant to 2013, 144:84, the unexpended balance of any fees collected pursuant to 151-C:15 shall be distributed on a prorated basis to the facilities that have paid an annual administrative fee.

364 New Paragraph; Health Facility Licensure; License or Registration Required. Amend RSA 151:2 by inserting after paragraph V the following new paragraph:

VI. No license shall be granted for any new bed in a nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. However, a license 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 license 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.

365 Contingency. The provisions of section 364 of this act shall only take effect upon the repeal of RSA 151-C pursuant to 2013, 144:84.

366 Health and Human Services; Bureau of Developmental Services; Allocation of Appropriation. The department may, consistent with any applicable federal waiver and regulations, allocate the total appropriation for waiver and non-waiver services made to the bureau of developmental services for fiscal years 2016 and 2017 in a manner the department determines to be the most efficient and effective in serving the eligible population that receives such services and consistent with the goal of maximizing the eligible person's potential for self-sufficiency, independence, and achievement of life goals.

367 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by \$3,443,721 for the fiscal year ending June 30, 2016 and by \$3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed \$9,800,000 for the fiscal year ending June 30, 2016, and \$10,100,000 for the fiscal year ending June 30, 2017.

368 Effective Date for Repeals Amended. Amend 2014, 3:13, I to read as follows:

I. Section 12, paragraph I of this act shall take effect July 1, 2015.

I-a. Section 12, paragraphs [E] II-VII of this act shall take effect December 31, 2016.

369 Reference to HIPP Program Deleted. Amend RSA 126-A:5, XXIV(a) to read as follows:

XXIV.(a) There is hereby established the voluntary bridge to marketplace premium assistance program in order to provide medical assistance for newly eligible adults and their spouse and dependents, if applicable[~~who are ineligible for the HIPP program established in RSA 126-A:5, XXIII~~]. This program shall be administered by the department of health and human services and subject to subparagraph XXV(c) shall terminate on March 31, 2015. In order to receive medical assistance through the program, newly eligible adults shall choose health insurance coverage either from qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective or an alternative benefit plan (ABP) offered by one of the managed care organizations (MCO) awarded contracts as vendors to implement Medicaid managed care under RSA 126-A:5, XIX(a). For the purposes of this paragraph, alternative benefit plan is defined as the Medicaid benchmark or benchmark equivalent coverage in section 1937 of the Social Security Act. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

370 Reference to HIPP Program Deleted. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, [~~who are ineligible for the HIPP program established in RSA 126-A:5, XXIII~~] until December 31, 2016 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

371 Health and Human Services. Care Management Program. Determination of Provider Rates for Step I and Step II Care Management Services. For the fiscal years 2016 and 2017, the rates paid to providers for home and community-based services under the choices for independence program that are to be incorporated into the department's care management program beginning on January 1, 2016 and the rates paid to providers of nursing services that are to be incorporated into the care management program on July 1, 2016 shall not be established by the department by contract with the managed care organizations or otherwise dictated by the department. The rates paid to providers for home and community-based services, nursing services, all other acute care medical services provided under Step I of the care management program, and any additional waiver services incorporated into the care management program for any portion of the fiscal years 2016 and 2017 shall be determined through negotiation between the managed care organizations and the providers of such services within the capitated payment for managed care services as approved by the governor and council and the Centers for Medicare and Medicaid Services.

372 Health and Human Services; Generic Drugs Authorization. Amend RSA 126-A:3, V to read as follows:

V. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of health and human services, including the Medicaid program, unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file. The provisions of paragraph III shall not apply to the dispensing by a pharmacy for medical assistance reimbursement for legend and non-legend drugs. The commissioner, in consultation with pharmacy providers, shall establish medical assistance reimbursement for legend and non-legend drugs. ***For Medicaid fee for service clients, no prior authorization for generically equivalent drugs shall be required.***

373 Department of Corrections; Generic Drugs Authorization. Amend RSA 623-C:2, III to read as follows:

III. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of corrections, including the Medicaid program, unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file. The commissioner of the department of corrections may waive the application of RSA 623-C:2, I if the commissioner determines such action is necessary to ensure the availability of prescription and other pharmaceutical services to persons served by the state or to avert serious economic hardship in the provision of prescriptions and other pharmaceutical services. ***For Medicaid fee for service clients, no prior authorization for generically equivalent drugs shall be required.***

374 New Subparagraph; Medicaid Managed Care Program; Commissioner's Duties. Amend RSA 126-A:5, XIX by inserting after subparagraph (d) the following new subparagraph:

(e) The commissioner shall seek all necessary federal approvals, including, but not limited to, Medicaid state plan amendments and Medicaid care management contract approval, to allow the Medicaid managed care organizations to use their own drug formulary in providing pharmacy benefits and contracting with pharmacy providers.

375 Quality Assessment Expenditures; State Expenditures for Long-Term Care Services. For the biennium ending June 30, 2017, notwithstanding the provisions of RSA 151-E:14 and RSA 151-E:15-a, 25 percent of the receipts from the nursing facility quality assessment under RSA 84-C:3 and the ICF 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.

376 Department of Health and Human Services; New Hampshire Hospital 10-Bed Psychiatric Crisis Unit. Amend 2014; 315:2 to read as follows:

315:2 Department of Health and Human Services; New Hampshire Hospital 10-Bed Psychiatric Crisis Unit. The department shall open the 10-bed psychiatric crisis unit established by 2013, 195:1, VII, H no [later than July 1, 2015. The department shall use existing appropriations to support any necessary operating costs for the fiscal year ending June 30, 2015] ***sooner than July 1, 2016.***

377 Department of Health and Human Services; Consolidation of District Offices. For the biennium ending June 30, 2017, the commissioner of the department of health and human services shall consolidate department of health and human services district offices to achieve a reduction of \$1,000,000 in general fund appropriations for the fiscal year ending June 30, 2016, and \$1,000,000 for the fiscal year ending June 30, 2017. The commissioner shall provide regular notice of these consolidation efforts to the fiscal committee of the general court.

378 Reference Deleted; Photography Equipment and Supplies. Amend RSA 5:6-d, III to read as follows:

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, [or with RSA 659:13, V,] reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, and improvements to related information technology, including acquisition and operation of an automated election management system. The secretary

of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

379 Repeal. RSA 659:13, V(a), relative to photography equipment and supplies provided by secretary of state, is repealed.

380 Expenditure of Certain Road Toll Revenue. Amend RSA 260:32-b to read as follows:

260:32-b Expenditure of Certain Road Toll Revenue.

I. For the fiscal year ending June 30, 2015, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) \$12,000,000 shall be expended for the district rehabilitation program with said funds to be distributed equally among the 6 state highway districts.

(b) \$13,200,000 shall be expended for the district resurfacing program with said funds to be distributed equally among the 6 state highway districts.

(c) All remaining funds shall be for the purpose of state bridge aid for municipal bridges under RSA 234.

II. For the fiscal year ending June 30, 2016, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) ~~[\$8,100,000]~~ **\$4,300,000** shall be expended for the district rehabilitation program with said funds to be distributed equally among the 6 state highway districts.

(c) ~~[\$13,200,000]~~ **\$7,000,000** shall be expended for the district resurfacing program with said funds to be distributed equally among the 6 state highway districts.

(d) In addition to sums otherwise appropriated, \$6,800,000 for state bridge aid for municipal bridges under RSA 234.

(e) All remaining funds ~~[deposited into the highway and bridge betterment account under RSA 235:23-a]~~ **shall be restricted revenue to the department of transportation.**

III. For the fiscal year ending June 30, 2017 ~~[and each fiscal year thereafter]~~, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) In addition to sums otherwise appropriated, \$6,800,000 for state bridge aid for municipal bridges under RSA 234.

(c) All remaining funds ~~[deposited into the highway and bridge betterment account under RSA 235:23-a]~~ **shall be restricted revenue to the department of transportation.**

IV. For the fiscal year ending June 30, 2018 and each fiscal year thereafter, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) In addition to sums otherwise appropriated, \$6,800,000 for state bridge aid for municipal bridges under RSA 234.

(c) All remaining funds deposited into the highway and bridge betterment account under RSA 235:23-a.

381 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, the department of administrative services shall transfer on July 1, 2015 funds from the renewable energy fund to the state general fund in the amount of \$5,000,000 for the fiscal year ending June 30, 2015.

382 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, the department of administrative services shall transfer funds from the renewable energy fund to the state general fund in the amount of \$20,600,000 for the fiscal year ending June 30, 2016, and in the amount of \$25,217,000 for the fiscal year ending June 30, 2017.

383 Effective Date.

I. Sections 285-286, 306-307, 360-362, and 371 of this act shall take effect upon its passage.

II. Sections 287-292, 294-299, and 347-348 of this act shall take effect 60 days after its passage.

III. Sections 283 and 308 of this act shall take effect June 30, 2015.

IV. Section 305 and 378-379 of this act shall take effect September 1, 2015 at 12:03 a.m.

V. Sections 227-228, 253, 312, and 354 of this act shall take effect July 1, 2016.

VI. Section 334 of this act shall take effect January 1, 2016.

VII. The remainder of this act shall take effect July 1, 2015.

2015-1163h
AMENDED ANALYSIS

This bill:

1. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.
2. Permits the department of administrative services to transfer funds among accounting units and class codes within the department.
3. Establishes a hiring preference for laid off classified employees.
4. Clarifies that information in a state employee's health risk appraisal is protected health information.
5. Provides for application of the state employees health plan to unrepresented active state employees.
6. Permits executive councilors to participate at their own expense in the state group health and dental insurance arrangement during their tenure in office.
7. Revises components of the state energy performance contracting program.
8. Requires retired employees to provide proof of enrollment in Medicare Parts A and B to remain eligible to participate in the state retiree benefit plan and the judicial retirement plan, and allows the commissioner of administrative services to determine the premium contribution percentages for retirees.
9. Authorizes the lottery commission to establish an employee recognition and incentive program.
10. Requires the liquor commission to reimburse the state for certain legal services provided by the department of justice.
11. Permits the department of justice, bureau of civil law to hire an attorney to review contracts.
12. Clarifies the procedures for the transfer of attorneys from other state agencies to the department of justice.
13. Clarifies disclosure of records in accordance with the Nonparticipating Manufacturer Adjustment Settlement Agreement.
14. Limits the number of judicial appointments for the biennium ending June 30, 2017.
15. Authorizes the judicial branch to transfer funds within accounting units.
16. Requires the community college system to remit retiree health care payments to the state.
17. Establishes the authority of the fish and game department to set the fees under RSA 541-A for licenses and permit issued by the department.
18. Establishes the fish and game department environmental review fee.
19. Modifies revenue for the forest management and protection fund.
20. Eliminates the continual appropriation of the state-owned ski area account to the commissioner of the department of resources and economic development and eliminates the requirement for prior approval by the governor and council and the fiscal committee of the general court of expenditures from the state park account.
21. Authorizes transfers of funds by the department of resources and economic development for welcome centers.
22. Requires the department of resources and economic development to deposit revenue derived from Cannon Mountain in the Cannon Mountain capital improvement fund until June 30, 2017.
23. Suspends certain provisions regarding funeral expenses for recipients of public assistance.
24. Allows the commissioner of the department of transportation to transfer funds within accounting units of the department.
25. Authorizes the commissioner of the department of environmental services to adopt rules establishing fees to cover the cost of the salt applicator certification program and requires all fees collected to be deposited in the general fund.
26. Modifies veterans' home reporting requirements.
27. Requires the department of information technology to establish statewide standards for information technology, networks, and cyber security.
28. Clarifies the department of information technology's purchasing policy for state agencies.
29. Appropriates sums received from the federal government by the department of transportation for reimbursement for costs of emergency response to the department.
30. Continues an appropriation in 2011, 223:1 regarding emergency management for the biennium ending June 30, 2017.
31. Abolishes a position to allow for the transition to an unclassified position within the department of safety for a second assistant commissioner.
32. Establishes the office of substance use disorder and behavioral health within the governor's office.
33. Authorizes state agency heads to accept credit cards or debit cards for payment of taxes, penalties, interest, or fees.
34. Requires fees for pesticide product registration to be adopted by administrative rule and increases the percentage of such fees to be deposited into the integrated pest management fund.

35. Requires the governor's commission on disability to adopt certain rules regarding waivers.
36. Repeals 1899, 42 which requires an annual fee to be paid to the University of New Hampshire
37. Deposits the administrative and enforcement fee for original notices of intent to excavate into the general fund.
38. Establishes a temporary tax amnesty program for taxes administered and collected by the department of revenue administration.
39. Transfers certain duties and responsibilities of the office of energy and planning.
40. Permits the executive director of the fish and game department to monitor conservation easements.
41. Transfers duties regarding data on population figures for purposes of the tax on meals and rooms from the office of energy and planning to the department of employment security.
42. Repeals the comprehensive state development plan.
43. Deletes a requirement to file certain planning and zoning documents with the office of energy and planning.
44. Removes the director of the office of energy and planning from the membership on the wetlands council and the water council.
45. Removes the director of the office of energy and planning from membership on the rivers management advisory committee and the lakes management advisory committee.
46. Transfers the land conservation investment program to the fish and game commission.
47. Transfers all functions of the state data center to the department of employment security.
48. Requires the commissioner of the department of employment security to gather and maintain certain demographic statistics for statewide planning purposes.
49. Establishes the office of professional licensure and certification and consolidates the duties and authority of the joint board for licensure and certification, the office of professional licensing in the department of health and human services, and the executive director of the real estate commission, and incorporates the administrative, clerical, and business processing functions of various boards, commissions, and councils into the office of professional licensure and certification under an unclassified executive director.
50. Provides for a consolidated reporting process for departments and divisions of departments.
51. Establishes the position of assistant state veterinarian within the department of agriculture, markets, and food.
52. Requires the pesticide control board to adopt rules relative to late fees for registration certificates for the commercial application of pesticides and pesticide product registration.
53. Requires the commissioner of the department of agriculture, markets, and food to adopt rules relative to the imposition of late fees.
54. Permits all agencies to provide documents by electronic mail in lieu of mail.
55. Permits agencies to use funds in class 60 budgets to pay penalties imposed under the employer shared responsibility for health coverage under the Internal Revenue Code.
56. Requires the commissioner of the department of administrative services to offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings.
57. Permits the transfer of the appropriation for the administration of the client assistance program that is received by the governor's commission on disability for fiscal years 2016 and 2017 to another qualified agency.
58. Repeals the limitation of guarantee of construction bonds for sewage disposal facilities.
59. Permits certain cash payments made by municipalities toward eligible costs resulting from the acquisition and construction of sewage disposal facilities to also be eligible for state contributions.
60. Places a moratorium on new infrastructure projects that would have been eligible for state aid grants under RSA 486, RSA 486-A, and RSA 149-M.
61. Establishes the office of chief operating officer and a government innovation fund within the department of administrative services.
62. Consolidates the racing and charitable gaming commission and the lottery commission, transferring authority over racing and charitable gaming to the lottery commission.
63. Suspends the payment of liquor revenues to the alcohol abuse prevention and treatment.
64. Determines the formula for education grants to municipalities.
65. Suspends school building aid for the biennium.
66. Funds the distribution of revenue from the meals and rooms tax to cities and towns at no more than the fiscal year 2015 distribution.
67. Allows the commissioner of the department of health and human services to transfer funds within accounting units of the department.
68. Requires that for the biennium ending June 30, 2017, 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.

69. 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.

70. Suspends He-W533 relative to home health rate setting.

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

72. Suspends congregate housing and congregate services.

73. Clarifies the rate of reimbursement for services and programs for a Medicaid-eligible child.

74. 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, 2017.

75. Requires the commissioner of the department of health and human services to reinstate Medicaid coverage and open enrollment for children and pregnant women if the New Hampshire health protection program is repealed effective December 31, 2016 or earlier.

76. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2017.

77. Modifies the definition of "assessable" lives for the purpose of the vaccine association.

78. Establishes a homeland security and emergency management assessment fund.

79. Establishes an emergency management fund for the purpose of funding an interagency transfer from the insurance department to the division of homeland security and emergency management within the department of safety.

80. Revises the reporting requirements for travel and tourism revolving fund and the travel and tourism development fund in the department of resources and economic development.

81. Clarifies that penalty assessments are to be an amount additional to the fines or penalties on which the penalty assessments are levied.

82. Makes the state highway safety agency a unit of the department of safety.

83. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2017.

84. Repeals an appropriation for state matching funds for disaster assistance grants.

85. Requires the housing finance authority to prioritize housing for veterans.

86. Makes a reduction in the state self-insured health plan reserve.

87. Transfers funds between department of safety restricted funds.

88. Codifies the salaries of certain unclassified positions.

89. Amends the title of a position in the department of administrative services.

90. Amends 2013, 205 to repeal references to the financial examinations supervisor position in the insurance department.

91. Clarifies state agency communications with the office of the legislative budget assistant.

92. Limits the use of procurement cards for purchase of commodities or services by the department of administrative services.

93. Prohibits enrollment in the retiree medical and surgical benefits plan by retired or active employees enrolled in another employee benefit plan sponsored by the state.

94. Addresses the authority of the department of state to administer state elections laws.

95. Eliminates the requirement that photographs taken by the moderator of voters who do not present identification be in color.

96. Authorizes the commissioner of revenue administration to contract with the Multistate Tax Commission to participate in audits.

97. Makes an appropriation to the department of revenue administration for the purpose of reimbursing towns for the Massachusetts share of the Merrimack River flood control compact and the Connecticut River flood control compact for state fiscal year 2013.

98. Requires the department of revenue administration to pay cities and towns affected by the Merrimack River Valley and Connecticut River Valley flood control compacts the New Hampshire share of payments owed and to distribute to such towns money received from Massachusetts and Connecticut under the compacts.

99. Suspends the credit of meals and rooms tax revenue to the division of travel and tourism.

100. Provides that for the 2017 fiscal year, the state shall reimburse a sheriff providing court security at the same rate applicable to per diem court security officers.

101. Directs half of certain fees collected by the courts to the general fund.

102. Makes changes in criminal procedure laws to require felonies to be filed first in the superior court.

103. Eliminates mandatory minimum sentences for certain criminal, motor vehicle, and drug offenses.

104. Requires a sentencing court to include the use of home confinement in the sentencing orders for any nonviolent offender with no minimum sentence.

105. Corrects a reference and requires approval of the fiscal committee of the general court and governor and council for any departmental transfer of \$75,000 or more.

106. Permits the site evaluation committee to expend unused portions of a one-time grant from the renewable energy fund for the biennium ending June 30, 2017.

107. Declares that the state, or any political subdivision of the state, shall not offer its employees any health care plan subject to the excise tax under the Patient Protection and Affordable Care Act unless the extra expense arising from such tax is borne by the plan participants.

108. Authorizes department's to enter agreements to lease-purchase vehicles and equipment.

109. Increases fees for vanity number plates.

110. Clarifies the allocation of unrestricted highway fund appropriations.

111. Adjusts the additional grants for chartered public school pupils based on the Consumer Price Index and adds \$1,000 per pupil to the grant beginning July 1, 2016 for chartered public schools other than the Virtual Learning Academy Charter School.

112. Authorizes the lottery commission to purchase land and buildings to serve as its headquarters.

113. Repeals the prohibition on future employment of certain employees of the lottery commission

114. Allows the lottery commission to appoint an executive director for a term of 4 years.

115. Allows members of the building code review board to receive reimbursement for travel to and from board meetings.

116. Allows the commissioner of the department of safety to transfer funds within accounting units of the department.

117. Clarifies the use of the appropriations made in 2013, 143 (HB 1-A) relative to nursing homes.

118. Suspends catastrophic aid payments to hospitals for the biennium ending June 30, 2017.

119. Requires that upon the repeal of the certificate of need law on June 30, 2016, the unexpended balance of any fees collected pursuant to 151-C:15 shall be distributed on a prorated basis to the facilities that have paid an annual administrative fee.

120. Prohibits licenses to be granted for certain new health care facilities under RSA 151, provided that licenses may be issued for replacement or renovation of existing beds to meet life safety code requirements or for construction or renovation as necessary to repair or refurbish an existing facility.

121. Authorizes the department of health and human services to allocate appropriations for the 2016 and 2017 fiscal years in the manner most effective for serving the persons receiving developmental services.

122. Reduces the appropriation to the Sununu Youth Services Center.

123. Repeals the health insurance premium payment (HIPP) program on July 1, 2015.

124. Clarifies the procedure to determine rate payments for providers of home and community-based services and nursing services under the care management program, department of health and human services.

125. Eliminates prior authorization for generic drugs for Medicaid fee for service clients.

126. Requires the commissioner of health and human services to seek federal approval to allow the Medicaid managed care organizations to use their own drug formulary in providing pharmacy benefits and contracting with pharmacy providers.

127. Establishes that for the biennium ending June 30, 2017, 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.

128. Provides that the 10-bed psychiatric unit at the New Hampshire Hospital shall open no sooner than July 1, 2016.

129. Requires that the commissioner of the department of health and human services consolidate department of health and human services district offices to achieve reductions in general fund appropriations for the 2016 and 2017 fiscal years.

130. Eliminates the requirement that the secretary of state provide to each city and town the photography and printing supplies necessary for voters without identification.

131. Changes expenditures of road toll revenues.

132. Transfers funds from the renewable energy fund to the general fund.

Floor Amendment to HB 2-FN-A-LOCAL

(2015-1162h)

Proposed by Reps. Ohm, Azarian

Amend the bill by inserting the following sections:

384 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new subdivision:
Keno

284:41 Definition. In this subdivision, "keno" means any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager.

284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision relative to keno games operating in a town or city that has voted to allow such gaming.

284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The application procedure for keno licenses.

II. Information to be required on license applications.

III. Procedures for a hearing following the revocation of a license.

IV. The operation of keno games, including types and amounts of wagers.

V. Information required and forms for submission of financial reports.

284:44 License Fees.

I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be \$500 per year. Such fee shall be submitted to the lottery commission at the time the application is made and shall be refunded if the application is denied.

II. All net proceeds collected by the lottery commission under this section and RSA 284:47 shall be deposited in the education trust fund established under RSA 198:39.

284:45 License Applications.

I. Applications shall be submitted to the lottery commission by the licensee. Proof of authority to submit the application on behalf of the licensee may be required.

II. Applications shall be made only on the forms supplied to the licensee by the lottery commission.

III. The application form shall be fully completed by the licensee.

IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days before the first game date.

V. The applicant shall certify under oath that:

(a) The information provided on the application is accurate.

(b) Neither the applicant nor any employee will operate keno games if such person has been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any state.

(c) The applicant and any employee who will be participating in the operation of the keno games is aware of all statutes and rules applicable to the operation of keno games.

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is a liquor license holder under RSA 178:12-a, RSA 178:13, RSA 178:20, RSA 178-20-a, RSA 178:21, RSA 178:22, RSA 178:23, or RSA 178:24 and that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(b) Maintain a current list of employees.

284:46 License; Issuance.

I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the application and shall, in writing, grant or deny the application within 45 days of receipt.

II. The lottery commission shall deny a license application for any one of the following reasons:

(a) The license of the applicant has been previously revoked by the commission.

(b) The applicant has been convicted of a crime provided for in this chapter or in any other chapter for any gaming offense.

(c) The applicant loses his or her liquor license after submitting the application.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or in any other state shall be licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:47 Operation of Keno Games.

I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.

II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92 percent:

(a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.

(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established under RSA 198:39.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a keno game licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:48 Financial Reports and Inspection Required.

I. Any person which has been licensed to conduct keno games shall submit a complete financial report to the lottery commission for each license issued under RSA 284:46 within 15 days after the expiration of each license, provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under RSA 284:46 on a form to be approved by the lottery commission.

II. All licensees shall maintain a separate checking account for the deposit and disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be commingled with other funds of the licensee. The licensee shall retain all cancelled checks for the payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

III. All financial reports filed by the licensee shall be maintained by the lottery commission for a period of one year from the date of filing and shall be open to public inspection.

IV. All financial records pertaining to the operation of keno games shall be maintained by the licensee and shall be made available to representatives of the lottery commission or of the commissioner of the department of safety upon request.

V. A licensee which has been licensed to conduct keno games shall maintain complete and accurate documentation of all revenues and expenses contained in the financial reports for at least 2 years from the date the financial report is filed.

284:49 Suspension; Revocation. The commission may suspend or revoke the license of any licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or revoke a keno license may apply to the commission for a rehearing within 15 business days of the decision. Rehearings and appeals shall be governed by RSA 541.

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of a special or annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot; provided, however, if the question is placed on the warrant at a special town meeting, it shall be the only question at such special town meeting. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I, provided, however, that the town may consider the question at no more than one special town meeting and the annual town meeting in the same calendar year.

385 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, ***RSA 284:44, RSA 284:47***, and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

386 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:

(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:47, relative to keno profits.

(l) Any other moneys appropriated from the general fund.

2015-1162h

AMENDED ANALYSIS

133. This bill allows the operation and playing of keno games, provides for licensing of keno game operators by the lottery commission, and directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

Floor Amendment to HB 2-FN-A-LOCAL

(2015-1165h)

Proposed by Reps. Hatch, Almy

Amend the bill by inserting the following sections:

383 Tobacco Tax; Cigarette Tax. 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 [\$1.78] ***\$1.99*** 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.

384 Tobacco Tax; Tobacco Products Other Than Cigarettes. 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 ~~[65.03]~~ **73.94** 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.

385 Applicability. Sections 383 and 384 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1, 2015 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate shall be paid within 90 days of the filing of the inventory form. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

386 Revised Tobacco Tax Revenue Estimates. Assuming total combined general and education trust fund tobacco tax estimates of approximately \$222,000,000 in the fiscal year ending June 30, 2015, assuming a decline in said estimates by 1 percent in the fiscal year ending June 30, 2016 and a further decline of 3 percent in the fiscal year ending June 30, 2017, and assuming the proposed tobacco tax rate increases proposed in sections 383 and 384 of this act will increase tax estimates by an additional \$28,000,000 in the fiscal year ending June 30, 2016, and \$25,200,000 in the fiscal year ending June 30, 2017, the revised total combined general and education trust fund tobacco tax estimates are as follows:

	<u>FY 2016</u>	<u>FY 2017</u>
Tobacco Tax	\$247,800,000	\$238,400,000

387 Business Profits Tax; Increase of Reasonable Compensation Safe Harbor. Amend RSA 77-A:4, III(c) to read as follows:

(c) In lieu of substantiating the value of the personal services of proprietors, partners, or members, a business organization or group of related business organizations may elect, as a record-keeping safe harbor, to deduct up to ~~[\$75,000]~~ **\$100,000** as total compensation for the tax year;

388 Repeal. The following are repealed:

I. RSA 21-J:28, VIII, relative to appeal for redetermination or reconsideration procedure.

II. RSA 77-A:4, III(g), relative to the presumption of reasonableness of a compensation deduction.

389 New Paragraph; Duties of Commissioner of Revenue Administration. Amend RSA 21-J:3 by inserting after paragraph XXX the following new paragraph:

XXXI. Report biennially to the chairpersons of the house and senate ways and means committees with an update of countries that may be considered tax havens under RSA 77-A:1, XV.

390 Definitions; Water's Edge Combined Group. Amend RSA 77-A:1, XV to read as follows:

XV. "Water's edge combined group" means a group of business organizations as defined in RSA 77-A:1, I operating a unitary business, except for overseas business organizations, as defined in paragraph XIX; provided, however[;]:

(a) Overseas business organizations are not incorporated in one of the following jurisdictions that are hereby identified as tax havens: the Principality of Andorra, Anguilla, Antigua and Barbuda, Aruba, the Commonwealth of the Bahamas, the Kingdom of Bahrain, Barbados, Belize, Bermuda, the British Virgin Islands, the Cayman Islands, the Cook Islands, the Republic of Cyprus, the Commonwealth of Dominica, Gibraltar, Grenada, the Bailiwick of Guernsey, the Isle of Man, the Bailiwick of Jersey, the Republic of Liberia, the Principality of Liechtenstein, the Grand Duchy of Luxembourg, Malta, the Republic of the Marshall Islands, the Republic of Mauritius, the Principality of Monaco, Montserrat, the Republic of Nauru, the Caribbean Netherlands, Niue, the Independent State of Samoa, the Republic of San Marino, the Republic of Seychelles, the Federation of St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, the Turks and Caicos Islands, the United States Virgin Islands, and the Republic of Vanuatu; and

(b) 80/20 business organizations shall only be excluded from the definition of "water's edge combined group" if the following criteria are met:

(a) (1) The taxpayer certifies that transactions conducted between such business organizations and other members of the group are on a comparable basis to transactions between other business organizations owned or controlled by the taxpayer and any members of the water's edge combined group; and

(b) (2) The taxpayer agrees to report to the commissioner any adjustments as finally determined by the United States Internal Revenue Service with respect to such transactions between any related business

organizations as may have a bearing on the comparability of transactions referred to in subparagraph [(a)] (1). These adjustments shall be made to the 80/20 business organizations so that a comparable basis shall be maintained for New Hampshire tax purposes. Such report shall be made in the manner and within the time limits as provided in RSA 77-A:10. Nothing in this paragraph shall exclude from taxation any business organization carrying on business activity within the state.

391 New Paragraphs; Definitions; Tax Haven; Accumulated Profits. Amend RSA 77-A:1 by inserting after paragraph XXIX the following new paragraph:

XXX. "Tax haven" means a jurisdiction outside the United States which, during the tax year, has no, or nominal, effective tax on the income of an overseas business organization that is unitary with a group of business organizations defined in RSA 77-A:1, I; and

(a) Has laws or practices that prevent effective exchange of information for tax purposes with other governments on taxpayers benefiting from the jurisdiction's tax structure;

(b) Has a tax structure that lacks transparency;

(c) Facilitates the establishment of foreign-owned entities without the need for a substantive local presence or commercial impact on the local economy;

(d) Explicitly or implicitly excludes the jurisdiction's resident taxpayers from taking advantage of the tax structure benefits afforded foreign-owned entities;

(e) Explicitly or implicitly excludes foreign-owned entities from participating in the jurisdiction's domestic market; or

(f) Has created a tax structure that is favorable for tax avoidance.

XXXI. "Accumulated profits" means the total undistributed earnings of the business organization from whatever source derived.

392 Department of Revenue Administration; Treatment of Dividends from Tax Havens. Amend RSA 77-A:3, II by inserting after subparagraph (b) the following new subparagraph:

(c) For the purposes of subparagraph (b): (1) dividends received from a business organization incorporated in a tax haven, as defined in RSA 77-A:1, XXX, and derived from accumulated profits earned on or before December 31, 2015, and (2) dividends received from business organizations incorporated in countries which become tax havens, and are derived from accumulated profits earned on or before the country is identified as a tax haven under RSA 77-A:1, XXX, shall be treated as foreign dividends, and not be eliminated in determining taxable business profits.

393 Applicability. Sections 387 through 392 of this act shall apply to tax periods ending on or after December 31, 2015.

394 Revised Business Tax Revenue Estimates. Assuming total combined general and education trust fund business tax estimates of approximately \$554,500,000 in fiscal year 2015; assuming an increase of said estimates by 2 percent in fiscal year 2016, and a further increase of 2 percent in fiscal year 2017; and assuming the proposed tax change in sections 387 through 392 will increase said tax estimates by an additional \$15,100,000 in fiscal year 2016, and \$27,100,000 in fiscal year 2017, the revised total combined general and education trust fund business tax estimates are as follows:

	<u>FY 2016</u>	<u>FY 2017</u>
Business Taxes	\$580,700,000	\$604,000,000

395 Revised Meals and Rooms Tax Revenue Estimates. Assuming total combined general and education trust fund meals and rooms tax estimates of approximately \$279,000,000 in fiscal year 2015; and assuming an increase in said estimates by 5 percent in fiscal year 2016, and a further increase of 4.5 percent in fiscal year 2017, the revised total combined general and education trust fund meals and rooms tax estimates are as follows:

	<u>FY 2016</u>	<u>FY 2017</u>
Meals & Rooms Tax	\$293,000,000	\$306,100,000

396 General Fund Balance. Notwithstanding RSA 9:13-e, II, any budget surplus for the close of the fiscal biennium ending June 30, 2015 shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.

2015-1165h AMENDED ANALYSIS

133. Increases the tobacco tax, redefines tobacco products under the tobacco tax to include nicotine vapor products, but excludes such tax on premium cigars.

134. Revises the tobacco tax revenue estimates for the 2016 and 2017 fiscal years.

135. Increases the reasonable compensation deduction under the business profits tax.

136. Changes certain business profits tax laws to prevent the diversion of business income to certain off-shore tax havens.

137. Revises the business tax revenue estimates.

138. Revises the meals and rooms tax revenue estimates.

139. Provides that any budget surplus for the close of fiscal biennium ending June 30, 2015 shall remain in the general fund.

Floor Amendment to HB 2-FN-A-LOCAL

(2015-1173h)

Proposed by Rep. Cushing

Amend the bill by inserting the following section:

383 Repeal; Exemption; Water and Air Pollution Control Facilities. The following are repealed:

I. RSA 72:12-a, relative to the property tax exemption for water and air pollution control facilities.

II. RSA 72:12-b, relative to facilities exempted under prior law.

III. RSA 83-F:1, V(a), relative to the exclusion of exempt property from classification as utility property.

2015-1173h

AMENDED ANALYSIS

133. Repeals the exemption from property taxes for the appraised value of water and air pollution control facilities as determined by the department of environmental services.

Floor Amendment to HB 2-FN-A-LOCAL

(2015-1174h)

Proposed by M. Smith, R. Walsh

Amend the bill by deleting section 221.

Amend the bill by inserting the following sections:

383 Department of Administrative Services; Appropriation; Parking Benefit. There is hereby appropriated to the department of administrative services the sum of \$50,000 for the fiscal year ending June 30, 2016 and the sum of \$50,000 for the fiscal year ending June 30, 2017, for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement between the state of New Hampshire and the New Hampshire state employees association. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

384 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I:30, XIII to read as follows:

XIII. The commissioner of administrative services shall invoice and collect from retired state employees ~~[under the age of 65 years]~~ **and/or each applicable spouse who are not Medicare eligible and** receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, ~~[the]~~ **a** premium contribution ~~[amounts of 12.5 percent]~~ **amount based on a percentage** of the total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 12.5 percent.** The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

385 Department of Administrative Services; New Hampshire Retirement System; Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall deduct from the monthly retirement allowance of retired state employees ~~[under the age of 65 years]~~ **and/or each applicable spouse who are not Medicare eligible and** receiving medical and surgical benefits provided pursuant to RSA 21-I:30, ~~[the]~~ **a** premium contribution ~~[amounts of 12.5 percent]~~ **amount based on a percentage** of the total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than 12.5 percent.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this

deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree **and/or each applicable spouse** the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

386 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and **their applicable** spouses ~~[under the age of 65 years]~~ **who are not Medicare eligible and** receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount ~~[of 12.5 percent of the]~~ **based on a percentage of the** total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~ **attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 12.5 percent.** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

387 Classified Salaries; January 8, 2016. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2017 shall be established as follows commencing January 8, 2016:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	20,202.00	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50
02	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50
03	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50
04	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50
05	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00
06	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00	29,796.00
07	23,848.50	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50
08	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50
09	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50
10	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00
11	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00
12	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00
13	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50
14	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50	40,989.00
15	32,194.50	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50
16	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50
17	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00
18	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50
19	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50
20	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50
21	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50
22	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50	57,525.00
23	44,479.50	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00
24	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50
25	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50
26	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00
27	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50
28	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00
29	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
30	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50	82,485.00
31	62,731.50	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50
32	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50
33	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50
34	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00
35	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00	101,946.00

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

388 Classified Salaries; January 6, 2017. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2017 shall be established as follows commencing January 6, 2017:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	20,611.50	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50
02	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50
03	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00
04	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00
05	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00
06	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00	30,400.50
07	24,336.00	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50
08	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50
09	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00
10	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00
11	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00
12	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50
13	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00
14	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00	41,827.50
15	32,857.50	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50
16	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50
17	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00
18	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50
19	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50
20	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00
21	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00
22	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00	58,675.50
23	45,376.50	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00
24	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00
25	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50
26	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50
27	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50
28	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00
29	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00
30	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00	84,142.50
31	63,999.00	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00
32	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00
33	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00
34	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50
35	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50	103,993.50

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

389 Classified Increases; January 8, 2016. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 8, 2016, shall be placed in the corresponding steps

in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

390 Classified Increases; January 6, 2017. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 6, 2017, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

391 State Trooper Salaries; January 8, 2016. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 8, 2016, the salary ranges for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association shall be as follows:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	26,145.60	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20
02	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20
03	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80
04	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60
05	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40
06	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40	38,792.00
07	30,971.20	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20
08	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00
09	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80
10	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80
11	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20
12	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80
13	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00
14	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00	53,435.20
15	41,912.00	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20
16	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20
17	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20
18	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40
19	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40
20	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00
21	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20
22	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20	75,150.40
23	58,011.20	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80
24	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60
25	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60
26	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40
27	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80
28	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80
29	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00
30	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00	107,848.00
31	81,993.60	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00
32	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00
33	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80
34	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80
35	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80	133,348.80

392 State Trooper Salaries; January 6, 2017. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 6, 2017, the salary ranges for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association, and state trooper command staff shall be as follows:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	26,686.40	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00
02	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80
03	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20
04	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60
05	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20
06	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20	39,582.40

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
07	31,595.20	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40
08	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80
09	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40
10	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00
11	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00
12	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20
13	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00
14	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00	54,516.80
15	42,764.80	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40
16	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00
17	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40
18	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20
19	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60
20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60
21	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60	73,403.20
22	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60	73,403.20	76,668.80
23	59,176.00	61,776.00	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60
24	61,776.00	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80
25	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00
26	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20
27	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80
28	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80
29	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80	105,144.00
30	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80	105,144.00	110,011.20
31	83,636.80	87,547.20	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20
32	87,547.20	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20
33	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00
34	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00	130,832.00
35	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00	130,832.00	136,032.00

393 Compensation for Certain State Officers; Unclassified State Employees; January 8, 2016. RSA 94:1-a,

I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
AA	52,745.16	56,184.96	59,624.24	63,062.48	66,501.24	69,940.52
BB	54,844.92	58,420.96	61,998.56	65,576.16	69,153.24	72,729.80
CC	57,389.28	61,138.48	64,886.64	68,635.32	72,383.48	76,132.16
DD	60,422.44	64,370.28	68,319.16	72,268.04	76,215.88	80,163.20
EE	63,991.72	68,180.32	72,367.88	76,555.96	80,744.04	84,933.68
FF	68,417.44	72,900.36	77,383.80	81,867.24	86,351.20	90,832.56
GG	73,854.56	78,698.36	83,542.16	88,385.44	93,229.76	98,073.56
HH	80,419.04	85,700.16	90,981.28	96,262.40	101,543.52	106,824.64
II	85,024.68	90,612.08	96,201.04	101,789.48	107,377.40	112,965.32
JJ	89,629.28	95,524.00	101,419.24	107,313.96	113,208.68	119,105.48
KK	91,920.40	97,968.52	104,017.16	110,065.28	116,113.92	122,162.56
LL	0.00	0.00	0.00	0.00	0.00	125,744.32
MM	0.00	0.00	0.00	0.00	0.00	129,992.72
NN	0.00	0.00	0.00	0.00	0.00	134,982.12
OO	0.00	0.00	0.00	0.00	0.00	140,815.48
PP	0.00	0.00	0.00	0.00	0.00	147,788.68
QQ	0.00	0.00	0.00	0.00	0.00	156,180.44

394 Compensation for Certain State Officers; Unclassified State Employees; January 6, 2017. RSA 94:1-a,

I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
AA	53,800.24	57,308.68	60,817.12	64,324.00	67,831.40	71,339.84
BB	55,942.12	59,589.40	63,238.76	66,888.12	70,536.44	74,184.76
CC	58,537.44	62,361.52	66,184.56	70,008.12	73,831.16	77,655.24
DD	61,630.92	65,657.80	69,685.72	73,713.64	77,740.52	81,766.88
EE	65,271.96	69,544.28	73,815.56	78,087.36	82,359.16	86,632.52

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
FF	69,786.08	74,358.44	78,931.84	83,504.72	88,078.64	92,649.44
GG	75,331.88	80,272.40	85,213.44	90,153.44	95,094.48	100,035.52
HH	82,027.92	87,414.60	92,801.28	98,187.96	103,574.64	108,961.32
II	86,725.60	92,424.80	98,125.56	103,825.28	109,525.00	115,224.72
JJ	91,422.24	97,434.48	103,447.76	109,460.52	115,473.28	121,487.60
KK	93,759.12	99,928.40	106,097.68	112,266.96	118,436.24	124,606.04
LL	0.00	0.00	0.00	0.00	0.00	128,259.56
MM	0.00	0.00	0.00	0.00	0.00	132,592.72
NN	0.00	0.00	0.00	0.00	0.00	137,681.96
OO	0.00	0.00	0.00	0.00	0.00	143,631.80
PP	0.00	0.00	0.00	0.00	0.00	150,744.88
QQ	0.00	0.00	0.00	0.00	0.00	159,304.08

395 Salary Wages for Councilors and Commissioners; January 8, 2016. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 8, 2016:

	Minimum	Maximum
Governor's councilors		\$16,420
Racing and charitable gaming commissioners		\$12,735
Sweepstakes commission, chairman		\$18,522
Sweepstakes commission, members		\$10,426

396 Salary Wages for Councilors and Commissioners; January 6, 2017. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 6, 2017:

	Minimum	Maximum
Governor's councilors		\$16,748
Racing and charitable gaming commissioners		\$12,990
Sweepstakes commission, chairman		\$18,893
Sweepstakes commission, members		\$10,635

397 Department of Justice; Attorney Salaries; January 8, 2016. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 8, 2016:

	Minimum	Market anchor	Maximum
	\$48,838		\$116,566
Attorney		\$58,871	
Assistant attorney general		\$80,193	
Senior assistant attorney general		\$99,007	
Associate attorney general		\$109,041	

398 Department of Justice; Attorney Salaries; January 6, 2017. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 6, 2017:

	Minimum	Market anchor	Maximum
	\$49,814		\$118,897
Attorney		\$60,049	
Assistant attorney general		\$81,797	
Senior assistant attorney general		\$100,987	
Associate attorney general		\$111,222	

399 Legislative Employees; January 8, 2016. Legislative employees shall receive 2 percent salary increases effective January 8, 2016, if such increases are approved by the appointing authority.

400 Legislative Employees; January 6, 2017. Legislative employees shall receive 2 percent salary increases effective January 6, 2017, if such increases are approved by the appointing authority.

401 Increases in Salary; Other Nonclassified or Unclassified Employees. All other nonclassified or unclassified employees not covered by the provisions for salary increases in this act shall be granted a salary increase of 2 percent effective January 8, 2016, and an additional salary increase of 2 percent effective January 6, 2017.

402 Judicial Salaries; January 8, 2016. RSA 491-A:1 is repealed and reenacted to read as follows:

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

Chief justice, supreme court	\$163,976
Associate justices, supreme court	\$159,042
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$159,042
Associate justices, superior court	\$149,175
District court justices prohibited from practice pursuant to RSA 502-A:21	\$149,175
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$149,175
403 Judicial Salaries; January 6, 2017. RSA 491-A:1 is repealed and reenacted to read as follows:	
491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:	
Chief justice, supreme court	\$167,271
Associate justices, supreme court	\$162,240
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$162,240
Associate justices, superior court	\$152,159
District court justices prohibited from practice pursuant to RSA 502-A:21	\$152,159
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$152,159

404 Judges; State Employee Health Plan; Application. The cost sharing and plan design for judges who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc.

405 Judicial Employees; January 8, 2016. All unrepresented judicial employees shall receive 2 percent salary increases on January 8, 2016.

406 Judicial Employees; January 6, 2017. All unrepresented judicial employees shall receive 2 percent salary increases on January 6, 2017.

407 Appropriation. The following sums are appropriated from the following sources for the purposes of sections 387 through 406 of this act for the fiscal years ending June 30, 2016 and June 30, 2017:

FY 2016							
All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
\$7,500,000	\$300,000	\$3,000,000	\$1,432,500	\$1,020,000	\$120,000	\$75,000	\$1,552,500
FY 2017							
All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
\$22,500,000	\$900,000	\$9,000,000	\$4,297,500	\$3,060,000	\$360,000	\$225,000	\$4,657,500

The Department of Administrative Services is authorized to make rounding adjustments of up to +\$.01 per hour as needed to properly process the employee's payroll within the currently designed Human Resources/Payroll System (NH FIRST).

408 Effective Date.

I. Sections 387, 389, 391, 393, 395, 397, and 402 shall take effect January 8, 2016.

II. Sections 388, 390, 392, 394, 396, 398, and 403 shall take effect January 6, 2017.

2015-1174h

AMENDED ANALYSIS

Delete paragraph 55

133. Appropriates funds to the department of administrative services for the biennium ending June 30, 2017 for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement.

134. Allows the commissioner of administrative services to determine the health insurance premium contribution percentages for retired state employees and judges.

135. Makes appropriations for salary increases for state employees.

Floor Amendment to HB 2-FN-A-LOCAL

(2015-1175h)

Proposed by Reps. Leishman, Ford, M. Smith

Amend the bill by replacing section 252 with the following:

252 School Money; Determination of Grants. Amend RSA 198:41, IV to read as follows:

IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.

(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.

(c) For fiscal year 2014~~[-and each fiscal year thereafter]~~ **and 2015**, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.

(d) For fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the stabilization grant distributed pursuant to subparagraph (a), however, such stabilization grant shall be reduced by the amount the municipality's total education grant for 2016 is increased over the amount of the municipality's total education grant for 2015; and, if the number of pupils receiving free or reduced price lunch is less than the state average number of pupils receiving a free or reduced price lunch, then such stabilization grant shall be further reduced by 5 percent of the municipality's fiscal year stabilization grant.

(e) For fiscal year 2017, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus 85 percent of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality.

Amend the bill by deleting section 255.

Amend the bill by deleting section 311.

Amend the bill by deleting section 367.

Amend the bill by inserting the following new sections:

383 New Hampshire Land and Community Heritage Investment Program; Trust Fund. Amend RSA 227-M:7, I to read as follows:

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund and any interest earned on the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be nonlapsing **and continually appropriated for the purposes of this chapter.**

384 Department of Treasury; Appropriation. In addition to any other sums appropriated to the department of treasury, meals and rooms tax distribution, the sum of \$5,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

385 New Subparagraph; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Additional Credit. Amend RSA 167:18-a, III by inserting after subparagraph (b) the following new subparagraph:

(c) For the biennium ending June 30, 2017, 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 \$2,841,000 for the fiscal year ending June 30, 2016 and \$2,860,000 for the fiscal year ending June 30, 2017 shall be in addition to the \$5,000,000 annual credit set forth in subparagraph (a). The additional credit shall be allocated among the counties based on the percentage of total payments each county had for the preceding fiscal year from the nursing facility trust fund under RSA 151-E:15 and shall be made available to the counties 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.

386 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2013, 278:5 and 278:6 to read as follows:

278:5 Voter Identification; Effective Date Extended. Amend 2012, 284:15, I to read as follows:

I. Sections 7-13 of this act shall take effect ~~[September 1, 2015]~~ **July 1, 2017.**

278:6 Voter Identification; Effective Date Extended. Amend 2012, 289:6, I to read as follows:

I. Section 4 of this act shall take effect ~~[September 1, 2015]~~ **July 1, 2017**, at 12:01 a.m.

387 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2013, 278:8, I to read as follows:

I. Section 7 of this act shall take effect ~~[September 1, 2015]~~ **July 1, 2017**, at 12:02 a.m.

388 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2014, 131:4, I to read as follows:

I. Sections 2-3 of this act shall take effect ~~[September 1, 2015]~~ **July 1, 2017**, at 12:03 a.m.

389 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2014, 319:19, I to read as follows:

I. Section 6 of this act shall take effect ~~[September 1, 2015]~~ **July 1, 2017** at 12:02 a.m.

2015-1175h
AMENDED ANALYSIS

Delete paragraphs 66, 99, and 122.

133. Continually appropriates the trust fund for the New Hampshire land and community heritage program.

134. Revises appropriations to the department of treasury and revises county nursing home payments for long-term care.

135. Postpones the requirement that moderators photograph voters without identification to July 1, 2017.

Amendment to HB 25-FN-A

(2015-1121h)

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. Columbarium Expansion	\$1,495,000
Less Federal Funds	<u>-1,495,000</u>
Net state appropriation subparagraph A	0
B. Construction of FMS - Southern NH	10,600,000
Less Federal Funds	<u>-10,600,000</u>
Net state appropriation subparagraph B	0
C. Construction of FMS - Seacoast Area	9,400,000
Less Federal Funds	<u>-9,400,000</u>
Net state appropriation subparagraph C	0
D. Readiness Center Design	1,200,000
Less Federal Funds	<u>-1,200,000</u>
Net state appropriation subparagraph D	0
E. Health and Safety Army Facility on Federal Property	1,000,000
Less Federal Funds	<u>-500,000</u>
Net state appropriation subparagraph	<u>500,000</u>
Total state appropriation paragraph I	\$500,000

II. Department of Administrative Services

A. Statewide Projects	
1. All State Owned Facilities - Emergency Repairs	\$1,000,000
2. Statewide Energy Efficiency Improvements	500,000
B. General Services	
1. Hills Ave. - New Roof	775,000
2. Monadnock Mill - Wall Repair	195,000
3. Health and Human Services - New Lab Floor	110,000
4. Department of Justice - New Roof	545,000
5. Monadnock Mill - Elevator Upgrade	210,000
6. Materials and Research - HVAC Upgrades	380,000
7. All Buildings - Burglar Alarm Replacement	215,000
8. State House Repairs	1,350,000
9. State House Dome	1,343,058
10. State Library - Repair Parapet and Ceiling	280,000
11. Department of Justice and Philbrook - Elevator code issues	120,000
C. Facilities and Asset Management	
1. Brown Building - Roof Replacement	905,000
2. Dolloff Building - ADA Restrooms and Entryway	505,000
D. Court Facilities	
1. Merrimack County Superior Court - New Courthouse *	<u>16,600,000</u>

* The primary location for the siting of the facility shall be in Concord on state lands adjacent to the supreme court. If an alternative location is deemed necessary, the siting for the facility shall be subject to prior approval of the capital budget overview committee.

Total state appropriation paragraph II \$25,033,058

III. Community College System of New Hampshire

A. Critical Maintenance	\$4,000,000
B. IT Infrastructure	2,800,000
C. HVAC Electrical Technology	7,000,000
D. Phase II, IT STEM Lab in Claremont	<u>400,000</u>
Total state appropriation paragraph III	\$14,200,000

IV. Department of Corrections

A. New Women's Prison – Addendum*	\$12,600,000
B. Replace Roof in Warehouse, Gym, Autoshop and Outside	<u>1,855,000</u>
Total state appropriation paragraph IV	\$14,455,000

* The prison shall be designed in a manner which provides the best economical approach to maintaining and operating the facility.

V. Department of Education

A. Renovation of CTE Center – Dover*	\$3,025,000
B. Renovation of CTE Center – Somersworth*	<u>4,875,000</u>
Total state appropriation paragraph V	\$7,900,000

* The funds appropriated to the department of education in subparagraphs A and B for CTE centers in Dover and Somersworth 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	\$2,975,000
B. Hazardous Waste Superfund State Match	500,000
C. Suncook River Infrastructure Protection Project	1,800,000
D. Rehabilitation of Natural Resources Conservation Service Flood Control Dams	7,200,000
Less Federal Funds	<u>-5,100,000</u>
Net state appropriation subparagraph D	2,100,000
E. Permitting, Environmental Monitoring and Flood Forecasting	1,000,000
F. Drinking Water SRF Matching Funds	2,978,212
G. Clean Water SRF State Match Funds	5,403,400
Less Other Funds*	<u>-2,701,700</u>
Net state appropriation subparagraph G	<u>2,701,700</u>
Total state appropriation paragraph VI	\$14,054,912

* To provide funds for the appropriation made in subparagraph VI, G, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,701,700 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, G 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. Glencliff Home Potable Water System	\$1,350,000
B. Campus Security Glencliff	425,000
C. New Hampshire Hospital; New Patient Unit Furniture	557,223
D. Main Access Tunnel Repair	525,000
E. Replace Roof Over Auditorium at Howard Rec.	230,000
F. SYSC Administration Building - Restroom Upgrades	120,000
G. Chillers and Associated Components Replacement	2,800,000
H. Child Support Systems Maintenance and Enhancement	7,100,000
Less Federal Funds	<u>-4,686,000</u>
Net state appropriation subparagraph H	2,414,000
I. New HEIGHTS Access Front Door	11,000,000
Less Federal Funds	<u>-6,600,000</u>
Net state appropriation subparagraph I	4,400,000
J. Department Email Project	500,000
Less Federal Funds	<u>-200,000</u>
Net state appropriation subparagraph J	<u>300,000</u>
Total state appropriation paragraph VII	\$13,121,223

VIII. Department of Information Technology*

A. Enterprise Projects including Cyber Security, Upgrades, and Inter-agency Coordination	\$1,000,000
B. Expansion of Virtual Server Environment	2,034,320
C. Enterprise Collaboration Solution	<u>650,000</u>
Total state appropriation paragraph VIII	\$3,684,320

* The bonds issued for the projects in paragraph VIII shall not exceed 10 year maturity dates.

IX. Judicial Branch

A. New Hampshire e-Court	<u>\$1,261,628</u>
Total state appropriation paragraph IX	\$1,261,628

X. Liquor Commission

A. Concord Warehouse Roof Replacement	\$1,715,000
Less Other Funds*	<u>-1,715,000</u>
Net state appropriation subparagraph A	0
B. In-store Management Systems Refresh/Surveillance System	2,800,000
Less Other Funds	<u>-2,800,000</u>
Net state appropriation subparagraph B	0
C. Consumer Internet Ordering Site	125,000
Less Other Funds*	<u>-125,000</u>
Net state appropriation subparagraph C	0
Total state appropriation paragraph X	<u>\$0</u>

* To provide funds for the appropriations made in paragraph X, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$4,640,000 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.

XI. Pease Development Authority

A. Piscataqua River Turning Basin	\$19,254,700
Less Federal Funds	<u>-13,899,200</u>
Less Other Funds*	<u>-285,550</u>
Net state appropriation subparagraph A	<u>5,069,950</u>

* To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$285,550 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 fees relating to wharfage, dockage, and other marine terminal operations under RSA 12-G:42.

Total state appropriation paragraph XI \$5,069,950

XII. Department of Resources and Economic Development

A. Roofing and Repairs	\$1,185,000
B. Fire Tower Repairs – Statewide	290,000
C. Toilet Building Renovation and Repair	2,000,000
D. Restoration at Historic Site	250,000
E. Franconia Notch State Park- Flume Visitor's Center Renovations	250,000
F. North Country Resource Center Improvements	200,000
G. Flume Parking Lot	600,000
H. Echo Lake Parking	<u>120,000</u>
Total state appropriation paragraph XII	<u>\$4,895,000</u>

XIII. Department of Safety

A. Laconia PSAP/Data Operations Facility Roofing	\$275,000
Less Other Funds*	<u>-275,000</u>
Net state appropriation subparagraph A	0
B. Helicopter FLIR and ADS-B Replacement (general funds)	1,098,000
C. Aircraft Rescue Firefighting Site Upgrades	425,000
Less Other Funds**	<u>-425,000</u>
Net state appropriation subparagraph C	0
D. Fire Pumper Replacement	400,000
Less Other Funds**	<u>-400,000</u>
Net state appropriation subparagraph D	0
E. Radio Interoperability Project	1,660,159
F. Division of Motor Vehicles-Replace Carpet	<u>87,000</u>
Total state appropriation paragraph XIII	<u>\$2,845,159</u>

* To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$275,000 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 enhanced 911 system fund established in RSA 106-H:9, I.

** To provide funds for the appropriations made in subparagraphs C and D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$825,000 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 fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

XIV. Department of State

A. State Archives Addition Planning and Design	\$250,000
Total state appropriation paragraph XIV	<u>\$250,000</u>

XV. Transportation

A. Transportation- Aeronautics, Rail and Transit

1. 5 Percent Match for Federal Aviation Administration Project	\$59,502,387
Less Federal Funds	<u>-55,906,400</u>
Net state appropriation subparagraph A	3,595,987
2. Repairs to State-owned Railroad Bridges	1,350,000
3. Public Transit Bus and Facility Matching Funds	1,358,636
4. Coos County Rail Improvements*	<u>1,500,000</u>
Total state appropriation paragraph XV	\$7,804,623

* The sum appropriated in subparagraph A, 4 shall be a match to private funds of an equal amount.

XVI. Veterans Home

A. Third Floor Addition to the LEDU Building-Vets Home	\$13,550,000
Less Federal Funds	<u>-8,807,500</u>
Net state appropriation subparagraph A	4,742,500
Total state appropriation paragraph XVI	<u>\$4,742,500</u>
Total state appropriation section 1	\$119,817,373

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

I. Department of Safety

A. Helicopter FLIR and ADS-B Replacement (highway funds)	\$122,000
B. Troop A HVAC and Remodel and Troop E HVAC	650,000
C. Radio Interoperability Project	<u>3,320,317</u>
Total state appropriation paragraph I	\$4,092,317

II. Department of Transportation

A. Underground Fuel Tank Replacement - Statewide	\$1,310,000
B. Oversize/Overweight Permit Software	2,000,000
C. New Patrol Shed 114 Lisbon	270,000
D. 602 Strafford Patrol Shed	1,770,000
E. Statewide Salt Sheds (3)	1,660,000
F. Welcome and Information Center Capital Improvement	760,000
G. Morton Building - Carpet Replacement	<u>200,000</u>
Total state appropriation paragraph II	<u>\$7,970,000</u>
Total state appropriation section 2	\$12,062,317

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

A. Deferred Maintenance	<u>\$5,000,000</u>
Total state appropriation section 3	\$5,000,000

4 Expenditures; General. The appropriations made for the purpose mentioned in sections 1 and 2 of this act, with the exception of appropriations in paragraph III of section 1, 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; Community College System of New Hampshire.

I. The appropriations made for the community college system in paragraph III of section 1 and the sums available for these projects shall be expended by the trustees of the community college system of New Hampshire.

II. The appropriations made to the community college system in paragraph III of section 1 are available for all costs incidental to the completion of the projects enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the community college system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies shall be spent under the direction of the community college system board of trustees and pursuant to policies adopted by the board of trustees.

III. 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 federal law and regulations.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the university system in section 3 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 building 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 consecutive 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 to the university system in section 3 are available for all costs incidental to the completion of the projects enumerated including the costs of the services or architects, engineers, and other consultants of such kind and capacity as the university system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies 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.

7 Land Acquisition. Any land acquired under the appropriations made in section 1 and 2 of this act, if any, as may be acquired under the appropriation shall be purchased by the commissioner of the department of administrative services or the commissioner of the department of transportation with the approval of governor and council.

8 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1-3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$145,606,940 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 are as follows: general fund \$124,817,373, highway funds \$12,062,317, and other funds \$8,727,250.

9 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 fund of the state.

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

10 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 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 8 shall be reduced by the same amount.

11 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.

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

13 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.

14 Capital Appropriations Amended; 2013; Liquor Commission. Amend 2013, 195:1, XII to read as follows:

XII. Liquor Commission

A. New Salem Retail Store	[~~\$5,400,000~~]	\$263,182
Less Other Funds *	[~~-5,400,000~~]	-263,182
Net state appropriation subparagraph A		0
B. Hampton North and South Renovations		6,380,000
Less Other Funds *		-6,380,000
Net state appropriation subparagraph B		0
C. New Epping Retail Store	[~~3,850,000~~]	2,450,000
Less Other Funds *	[~~-3,850,000~~]	-2,450,000
Net state appropriation subparagraph C		0
D. [~~New Warner Retail Store~~] Renovate Warehouse for Enforcement and Maintenance	[~~3,500,000~~]	2,000,000
Less Other Funds *	[~~-3,500,000~~]	-2,000,000
Net state appropriation subparagraph D		0
E. Renovate Space from Retail to Office	[~~780,000~~]	1,180,000
Less Other Funds *	[~~-780,000~~]	-1,180,000
Net state appropriation subparagraph E		0
F. Nashua Retail Store. Parking Lot		80,000
Less Other Funds *		-80,000
Net state appropriation subparagraph F		0
G. Computer Software-Credit Card	[~~10,000,000~~]	15,136,818
Less Other Funds *	[~~-10,000,000~~]	-15,136,818
Net state appropriation subparagraph G		0
H. Portsmouth Traffic Circle, Store #38, Plans, Layout and Design		1,000,000
Less Other Funds*		-1,000,000
Net state appropriation paragraph H		0
I. Concord Warehouse Roof Replacement		500,000
Less Other Funds*		-500,000
Net state appropriation paragraph I		0
J. Signage and Branding Upgrade		1,000,000
Less Other Funds*		-1,000,000
Net state appropriation paragraph J		0
Total state appropriation paragraph XII		\$0

* To provide funds for the appropriations made in paragraph XII, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$29,990,000 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.

15 2013 Capital Budget; Department of Correction; Women's Prison and Transitional Housing Facility. Amend 2013, 195:1, IV, footnote following the total state appropriation paragraph IV, to read as follows:

* The project in subparagraph IV, A [~~shall~~] **may** 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.

16 2013 Capital Budget; Department of Transportation; Project Purpose Amended; Coos County Rail. Amend 2013, 195:1, XVI, A, 3 to read as follows:

3. [~~Freight Rail—State Matching Funds~~] **Coos County
Rail Improvements – Equal Match to Private Funds** **600,000**

17 Repeal; Isles of Shoals Memorial Commission. 2013, 195:45, establishing the commission for the Isles of Shoals memorial, is repealed.

18 Lapse Dates Extended to June 30, 2017. The following appropriations are hereby extended to June 30, 2017.

1. The appropriation made to the adjutant general in 2013, 195:1, I, A for unspecified minor military construction.

2. The appropriation made to the adjutant general in 2013, 195:1, I, B for land acquisition.

3. The appropriation made to the adjutant general in 2013, 195:1, I, D for federal property conv to readiness center and maintenance shop.

4. The appropriation made to the adjutant general in 2013, 195:1, I, E for Manchester field maintenance shop design.
5. The appropriation made to the adjutant general in 2013, 195:1, I, F for columbarium expansion.
6. The appropriation made to the adjutant general in 2013, 195:1, I, H for veterans' cemetery archeological study.
7. 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 extended by 2013 195:47, 5 for regional training institute construction.
8. The appropriation made to the department of administrative services in 2013, 195:1, II, A, 1 for emergency repairs all state owned facilities.
9. The appropriation made to the department of administrative services in 2013, 195:1, II, A, 2 for statewide energy efficiency improvements.
10. The appropriation made to the department of administrative services in 2013, 195:1, II, B, 4 for state house dome repair.
11. The appropriation made to the department of administrative services in 2013, 195:1, II, B, 5 for state house annex replace roof.
12. The appropriation made to the department of administrative services in 2013, 195:1, II, C, 3 for main building asbestos abatement/lead paint control.
13. The appropriation made to the department of administrative services in 2013, 195:1, II, C, 4 for main building window replacement Phase 1.
14. The appropriation made to the department of administrative services in 2013, 195:1, II, D, 3 for Rockingham county superior court - replace roof.
15. The appropriation made to the department of administrative services in 2013, 195:1, II, D, 5 for Manchester circuit courthouse install generator.
16. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 4 extended by 2013 195:47, 9 for main building kitchen roof repair.
17. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 5 extended by 2013 195:47, 10 for lakes region facility roof repair.
18. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 extended by 2013 195:47, 13 for critical IT infrastructure.
19. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 extended by 2013 195:47, 14 for ERP phase 2 HR and payroll systems.
20. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 1 extended by 2013 195:47, 15 for emergency repairs-all facilities.
21. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 5 extended by 2013 195:47, 17 for state house dome renovation and repair.
22. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 6 extended by 2013 195:47, 18 for DHHS window repairs.
23. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 2 extended by 2011, 253:28, 13 extended by 2013 195:47, 22 for master plan for the courts.
24. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 3 extended by 2011, 253:28, 21 as amended by 2013, 195:14 and extended by 2013 195:47, 23 for main building bakery, kitchen, connector, and industrial shop - raze buildings and create parking lot.
25. The appropriation made to the community college system in 2013, 195:1, XVIII, A for lump sum for capital projects.
26. The appropriation made to the community college system in 2011, 253:1, XVI, B extended by 2013, 195:47, 30 for career/tech building.
27. The appropriation made to the community college system in 2009, 145:1, III, E as extended by 2011, 253:28, 35 extended by 2013, 195:47, 32 for health science and tech building, Nashua.
28. The appropriation made to the community college system in 2008 special session, 1:1, I for Pease campus renovation.
29. The appropriation made to the department of corrections in 2013, 195:1, IV, A , as amended by this act, for 224 beds women's prison and transitional housing facility.
30. The appropriation made to the department of corrections in 2013, 195:1, IV, C for electronic medical records system.
31. The appropriation made to the department of corrections in 2009, 145:1, IV, C as amended by 2013, 195:25, C, 2 for steam lines and injector at men's prison.
32. The appropriation made to the department of corrections in 2009, 145:1, IV, A extended by 2011, 253:28, 36 extended by 2013 195:47, 33 for women's prison and transitional housing site/design.
33. The appropriation made to the department of corrections in 2009, 145:1, IV, D extended by 2011, 253:28, 39 extended by 2013 195:47, 35 for admin east wing-upgrade electric wiring.
34. 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 extended by 2013 195:47, 36 for electronic security upgrades-men's prison.

35. The appropriation made to the department of education in 2013, 195:1, V, A, as amended by 2014, 237:2, for renovation of CTE center Dover-state share.
36. The appropriation made to the department of education in 2013, 195:1, V, B, as amended by 2014, 237:2, for renovation of CTE center Salem-state share.
37. The appropriation made to the department of education in 2011, 253:1, IV, A for extended by 2013 195:47, 38 pre-engineering tech career pathway.
- 38 The appropriation made to the department of education in 2011, 253:1, IV, B extended by 2013 195:47, 39 for CTE center renovation-Pinkerton.
39. The appropriation made to the department of education in 2009, 145:1, V, A extended by 2011, 253:28, 46 extended by 2013 195:47, 41 for pre-engineering technology.
40. The appropriation made to the department of employment security in 2011, 253:1, V, A extended by 2013 195:47, 42 for Tobey building renovation and garage construction.
41. The appropriation made to the department of environmental services in 2013, 195:1, VI, A for dam repairs and reconstruction.
42. The appropriation made to the department of environmental services in 2013, 195:1, VI, B drinking water SRF matching funds.
43. The appropriation made to the department of environmental services in 2013, 195:1, VI, C for clean water SRF matching funds.
44. The appropriation made to the department of environmental services in 2013, 195:1, VI, D for flood warning and operations improvements.
45. The appropriation made to the department of environmental services in 2011, 253:1, VI, A extended by 2013 195:47, 43 for clean water state revolving fund loan program.
46. The appropriation made to the department of environmental services in 2011, 253:1, VI, B extended by 2013 195:47, 44 for drinking water state revolving fund state match.
47. The appropriation made to the department of environmental services in 2011, 253:1, VI, C extended by 2013 195:47, 45 for dam repairs and reconstruction.
48. The appropriation made to the department of environmental services in 2011, 253:1, VI, E extended by 2013 195:47, 47 for WRBP infrastructure capital improvements.
49. The appropriation made to the department of environmental services in 2011, 253:1, VI, F extended by 2013 195:47, 48 for Suncook river infrastructure protection project.
50. The appropriation made to the department of environmental services in 2009, 145:1, VI, A extended by 2011, 253:28, 50 extended by 2013 195:47, 49 for WRBP wastewater treatment plant improvements.
51. 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 and extended by 2013, 195:47, 54 for hazardous waste superfund match.
52. The appropriation made to the department of health and human services in 2013, 195:1, VII, A for Glencliff fire and ADA code compliance.
53. The appropriation made to the department of health and human services in 2013, 195:1, VII, B for APS security and safety upgrades.
54. The appropriation made to the department of health and human services in 2013, 195:1, VII, C for Glencliff residential building security.
55. The appropriation made to the department of health and human services in 2013, 195:1, VII, D for Glencliff hydro dam repair.
56. The appropriation made to the department of health and human services in 2013, 195:1, VII, E for New Heights incremental modernization.
57. The appropriation made to the department of health and human services in 2013, 195:1, VII, F for child support systems maintenance and enhancement.
58. The appropriation made to the department of health and human services in 2013, 195:1, VII, G for food protection data system.
59. The appropriation made to the department of health and human services in 2013, 195:1, VII, H for psychiatric crisis beds.
60. The appropriation made to the department of health and human services in 2013, 195:1, VII, I for bridges modernization project.
61. The appropriation made to the department of health and human services in 2011, 253:1, VII, D extended by 2013 195:47, 60 for APS repair/renovations-roof, windows and curtain wall.
62. The appropriation made to the department of health and human services in 2011, 253:1, VII, G extended by 2013 195:47, 62 for incremental renewal of New Heights.
63. The appropriation made to the department of health and human services in 2011, 253:1, VII, H extended by 2013 195:47, 63 for electronic health records.
64. The appropriation made to the department of health and human services in 2011, 253:1, VII, I extended by 2013 195:47, 64 for regional assessments database II.
65. The appropriation made to the department of health and human services in 2011, 253:1, VII, J extended by 2013 195:47, 65 for video conferencing-administrative appeals unit.

66. The appropriation made to the department of health and human services in 2011, 253:1, VII, L extended by 2013, 195:47, 66 for replatform option application.

67. The appropriation made to the department of health and human services in 2011, 253:1, VII, Q extended by 2013 195:47, 70 for ACCESS front door release II.

68. The appropriation made to the department of health and human services in 2009, 145:1, VII, B extended by 2011, 253:28, 65 extended by 2013 195:47, 71 for incremental renewal of HEIGHTS phase II.

69. The appropriation made to the department of health and human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 extended by 2013 195:47, 72 for strategic plan for legacy systems, 50-50 federal match.

70. 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 extended by 2013 195:47, 73 for Glencliff-Brown building patient room floor abatement, tunnel repair, admin bldg roof replacement.

71. The appropriation made to the department of information technology in 2013, 195:1, VIII, A for enterprise licensing solution.

72. The appropriation made to the department of information technology in 2013, 195:24, I for productivity suite desktop security project.

73. The appropriation made to the department of information technology in 2013, 195:42, I for business one stop.

74. The appropriation made to the judicial branch in 2013, 195:1, IX, A for e-court initiative.

75. The appropriation made to the judicial branch in 2011, 253:1, IX, C extended by 2013 195:47, 78 for e-court initiative.

76. The appropriation made to the department of justice in 2013, 195:1, X, A for installation of video conferencing hardware.

77. The appropriation made to the department of justice in 2013, 195:1, X, B for Prolaw upgrade.

78. The appropriation made to the liquor commission in 2013, 195:1, XII, B for Hampton north and south renovations.

79. The appropriation made to the liquor commission in 2013, 195:1, XII, D, as amended by this act, for renovate warehouse for enforcement and maintenance.

80. The appropriation made to the liquor commission in 2013, 195:1, XII, E as amended by this act, for renovate space from retail to office.

81. The appropriation made to the liquor commission in 2013, 195:1, XII, G as amended by this act, for computer software-credit card.

82. The appropriation made to the liquor commission in 2013, 195:1, XII, H as amended by this act, for Portsmouth traffic circle, store #38, plans, layout and design.

83. The appropriation made to the liquor commission in 2013, 195:1, XII, I as amended by this act, for Concord warehouse roof replacement.

84. The appropriation made to the liquor commission in 2013, 195:1, XII, J as amended by this act, for signage and branding upgrade.

85. The appropriation made to the liquor commission in 2011 253:1, X, A extended by 2013 195:47, 79 for Hooksett north and south store additions.

86. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, A for state parks improvements.

87. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, B for roofing and repair - state parks.

88. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, F for fire tower repairs.

89. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, C extended by 2013 195:47, 84 for Mt. Washington-Adams building concrete repair.

90. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C extended by 2011, 253:28, 77 extended by 2013 195:47, 86 for Mittersill expansion.

91. The appropriation made to the department of revenue administration in 2009, 145:1, XI, A extended by 2011, 253:28, 82 extended by 2013 195:47, 88 for tax system 2010.

92. The appropriation made to the department of safety in 2013, 195:2, I, A for radio interoperability infrastructure upgrade.

93. The appropriation made to the department of safety in 2013, 195:2, I, D for NH marine patrol headquarters.

94. The appropriation made to the department of safety in 2013, 195:1, XIV, A for radio interoperability infrastructure upgrade.

95. The appropriation made to the department of safety in 2011, 253:1, XIII, A extended by 2013 195:47, 89 for e-911 next generation.

96. The appropriation made to the department of safety in 2009, 145:2, I, A extended by 2011, 253:28, 83 extended by 2013 195:47, 92 for DMV VISION project continuation.

97. 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 extended by 2013 195:47, 93 for OIT projects for DMV.

98. The appropriation made to the department of state in 2013, 195:1, XV, A for shelving replacement and fire suppression.

99. The appropriation made to the department of transportation in 2013, 195:2, II, A for underground fuel tank replacement statewide.

100. The appropriation made to the department of transportation in 2013, 195:2, II, B for project development computer systems replacement.

101. The appropriation made to the department of transportation in 2013, 195:2, II, C for JOMB data center HVAC and UPS replacement.

102. The appropriation made to the department of transportation in 2013, 195:2, II, D for welcome information center critical and deferred maintenance.

103. The appropriation made to the department of transportation in 2013, 195:2, II, E for new patrol shed ps528 Derry, design, engineering and construction.

104. The appropriation made to the department of transportation in 2013, 195:2, II, F for new patrol shed, Strafford, design.

105. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 1 for 5 percent match for FAA projects.

106. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 2 for public transit bus and facility matching funds.

107. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 3 as amended by this act for Coos county rail improvements.

108. The appropriation made to the department of transportation in 2011, 253:1, XIV, A extended by 2013 195:47, 94 for 2.5 percent match for FAA projects.

109. The appropriation made to the department of transportation in 2011, 253:1, XIV, B extended by 2013 195:47, 95 for bus replacement-transit match.

110. The appropriation made to the department of transportation in 2011, 253:2, III, C extended by 2013 195:47, 98 for statewide salt sheds.

111. The appropriation made to the department of transportation in 2011, 253:2, III, D as amended by 2013, 195:43, as extended by 2013 195:47, 99 for new patrol shed and salt storage-Salem.

112. The appropriation made to the department of transportation in 2009, 145:1, XII, A extended by 2011, 253:28, 88 extended by 2013 195:47, 101 for FAA projects.

113. The appropriation made to the department of transportation in 2009, 145:1, XII, B extended by 2011, 253:28, 89 extended by 2013 195:47, 102 for public transit bus matching funds.

114. The appropriation made to the department of transportation in 2009, 145:1, XII, C extended by 2011, 253:28, 90 extended by 2013 195:47, 103 for airport navigation equipment.

115. The appropriation made to the department of transportation in 2009, 145:1, XII, E extended by 2011, 253:28, 92 extended by 2013 195:47, 104 for state owned rail bridge repair.

116. The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 253:28, 94 extended by 2013 195:47, 105 for replacement of automated fueling system-phase 2.

117. The appropriation made to the department of transportation in 2007, 264:1, XIV, C extended by 2009, 145:19, 67 as amended by 2011, 253:16 extended by 2011, 253:28, 100 and extended by 2013 195:47, 107 for rail match.

118. 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 extended by 2013 195:47, 108 for fuel center computer system.

119. 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 extended by 2013 195:47, 110 for railroad acquisition right of first refusal rail match.

120. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28, XXXIII, and 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 extended by 2013 195:47, 111 for acquisition for railroad and airport properties.

121. The appropriation made to the New Hampshire veterans' home in 2013, 195:1, XVII, A for equipment upgrades.

122. The appropriation made to the New Hampshire veterans' home in 2011, 253:XV, A extended by 2013 195:47, 112 for electronic medical records.

19 Effective Date.

I. Section 18 of this act shall take effect June 30, 2015.

II. The remainder of this act shall take effect July 1, 2015.

Amendment to SB 264

(2015-1116h)

Proposed by the Committee on Labor, Industrial and Rehabilitative Services- c

Amend RSA 279:1, XVI as inserted by section 2 of the bill by replacing it with the following:

XVI. "Ballroom" means an indoor facility which has seating accommodations for at least 500 patrons, provides live entertainment, and is licensed by the New Hampshire liquor commission.