

HOUSE RECORD

Second Year of the 161st General Court Calendar and Journal of the 2010 Session

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Concord, N.H.

Wednesday, May 12, 2010

No. 41

HOUSE JOURNAL No. 17 (cont.)

Wednesday, May 5, 2010

RECESS

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 18

Wednesday, May 12, 2010

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared Rardin, Pastor of the South Congregational Church in Concord.

Morning Prayer

By Walter Rauschenbusch

O God, we thank Thee for the sweet refreshment of sleep and for the glory and vigor of the new day. As we set our faces once more toward our daily work, we pray for the strength sufficient for our tasks. May the spirit of duty and service ennoble all that we do. Uphold us by the consciousness that our work is useful and a blessing to all. If there has been anything in our work harmful to others and dishonorable to ourselves, reveal it to our inner eye with such clearness that we shall hate it and put it away, though it be at a loss to ourselves. When we work with others, help us to regard them not as servants to our will, but as brothers and sisters equal to us in human dignity and equally worthy of their full reward. May there be nothing in this day's work of which we shall be ashamed when the sun has set, nor in the eventide of our life when our task is done. Bless us this day, we pray O God, and

bless all those in our families and in our circles of care and concern who are in need of Your care this day. In Your Holy name, we ask it. Amen.

Representatives Stella and W. Douglas Scamman, members from Stratham, led the Pledge of Allegiance.

The National Anthem was sung by Mollie Brown, a home-schooled student from Wentworth.

LEAVES OF ABSENCE

Reps. Julie Brown and Maybeck, the day, illness.

Reps. Bulis, Domingo, Dumaine, Eaton, Farley, Hutz, Mark Preston, Reeve, Herbert

Richardson and Rokas, the day, important business.

INTRODUCTION OF GUESTS

Duane and Jennifer Brown, parents of the singer, guests of the House. Volunteers from AmeriCorps, in honor of National AmeriCorps Week, guests of the House. Katerina Lahr-Pastor and Haydan Young, guests of Rep. Pastor. Martha Evelyn and Nancy Martland, guests of Rep. Ford. Glenn Tupper and Judy Gould, son and guest of Rep. Tupper. Patty Dawson, granddaughter of sound system operator Bruce Dawson, niece of the Sergeant-at-Arms, guest of the House. Carlos Perktold, Marina Perktold and Eduardo Perktold, guests of Rep. Wendelboe. Students from Gossler Park Elementary School in Manchester, guests of the Manchester delegation.

Hannah Gomez, granddaughter of Rep. Boehm, and Michael Ortolano, students from Campbell High School in Litchfield, Pages for the day.

PRESENTATION OF SCHOLARSHIP

Rep. Keans of the New Hampshire Order of Women Legislators (OWLS) recognized and presented the 2010 OWLS Scholarship to Susan Perron of Grantham, NH.

COMMITTEE REPORTS

CONSENT CALENDAR

Rep. Wallner moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 435, relative to the provision of caller locations in emergency situations, removed by Rep. Kurk.

SB 313, extending the repeal date of the state park system advisory council and relative to field purchases and transfers of funds for the state park system and the bureau of trails, removed by Rep. Kappler.

Consent Calendar adopted.

SB 368, relative to notice required under the retail selling statute. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joel F. Winters for Commerce and Consumer Affairs: Laws governing the three day right of rescission for home solicitation sales have been around for many decades. In exchange for returning the product to the seller, the buyer is entitled to a full refund. Buyers who exercise their right of rescission will now have an option to demand (in lieu of a refund) that any alterations to their home or property be restored to their original condition, if they can be reasonably restored. Exceptions to this right of rescission have been given to sales under \$25 since 1973. The amendment updates that to \$150. Vote 15-1.

Amendment (1517h)

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Notice; Refund Following Cancellation. Amend RSA 361-B:2, I by inserting after subparagraph (b) the following new subparagraph:

(b-1) If the buyer cancels the transaction in accordance with this chapter, and within the cancellation period the seller has performed services or has performed work that has physically altered the property of the buyer, the buyer shall be entitled to a refund of all funds transferred to the seller, and the seller shall not be entitled to deduct the value of such services or work from the refund. In the alternative, if the seller has performed work that has physically altered the property of the buyer and it can be reasonably restored to its original condition, the buyer may demand, in lieu of a refund, full restoration of the property to its original condition.

3 Definition of Home Solicitation Sale; Amount. Amend RSA 361-B:1 to read as follows:

361-B:1 Definition. "Home solicitation sale" means a sale of goods or services, priced at \$~~[25]~~ **150** or more, in which a seller, a seller's representative, or a person acting for a seller engages in a solicitation and sale at any place other than a permanent place of business of the seller. A cash or credit sale so consummated shall be deemed to be a home solicitation sale.

4 Effective Date. This act shall take effect January 1, 2011.

SB 408, relative to purchasing alliances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T. DeStefano for Commerce and Consumer Affairs: This bill has two components. The first establishes in statute purchasing alliances, which allows groups of small businesses within a larger organization -- for example, real estate agencies within a larger real estate service organization, auto dealers with the NH Auto Dealers Association or possibly independent businesses under chambers of commerce or within a larger regional or statewide organization -- to consolidate the administration of providing health insurance to its members. Such an alliance could, over time, reduce its health insurance costs through effective administration and programs that improve the overall health of the members and reduce the utilization of healthcare services. The organizations under which these "alliances" can exist must have been in existence for a minimum of 10 years. That helps to prevent the creation of such groups simply for the provision of health insurance. The House has passed a similar bill in the past but it has died in the Senate. This bill obviously comes with the support of the Senate this time. These alliances will be useful for some groups between now and the full implementation of federal health reform in 2014. After that they may still be useful for administrative purposes but such effectiveness will need to be reevaluated. The second part of the bill establishes a legislative study group to look at how PEOs professional employment organizations provide health insurance to the small employers to whom they "lease" employees. For several years, these PEOs have offered health insurance as if they were large group employers. The insurance department believes that these organizations should be rating their employees as a series of small groups and, therefore, rating under the small group rules. The committee believes that this requires this further study. Vote 17-0.

Amendment (1915h)

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

AN ACT relative to purchasing alliances and establishing a study committee on the procurement of health insurance by employee leasing companies.

Amend 420-G:10, I as inserted by section 2 of the bill by inserting after subparagraph (d) the following new subparagraph:

(e) Prohibit any employer that voluntarily discontinues participation in either a qualified association trust or a qualified purchasing alliance from rejoining for a period of at least 24 months.

Amend the bill by replacing all after section 3 with the following:

4 Committee Established. There is established a committee to study the procurement of health insurance by employee leasing companies.

5 Membership and Compensation.

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

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

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

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

6 Duties. The committee shall study the procurement of health insurance by employee leasing companies licensed under RSA 277-B, including whether policies sponsored by employee leasing companies should be exempt from the rating requirements and other standards for small employer coverage set forth in RSA 420-G.

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

8 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2011.

9 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a law governing purchasing alliances which may be formed for the purposes of purchasing health insurance.

This bill also establishes a study committee on the procurement of health insurance by employee leasing companies.

***SB 373*, relative to approval of alternative schools by the state board of education. REFER FOR INTERIM STUDY.**

Rep. Judith T. Reever for Education: While this bill creates a process for approving alternative schools, something not in current statute, the bill inadequately defines "alternative school" and is ambiguous regarding what courses must be offered as well as other regulations that may apply. On advice from the attorney general's office, the committee believes the bill requires further study. Vote 19-0.

***SB 520-FN-L*, relative to school district liability for special education costs. OUGHT TO PASS WITH AMENDMENT.**

Rep. Nancy F. Stiles for Education: This bill finally places into New Hampshire law that it is the financial responsibility of the residential school district to provide special education and related services for a child who attends another public school when parentally placed unless other accommodations are worked out between the two districts. This issue came about due to a court case and the law was silent on the fiscal responsibility when a student is parentally placed. The federal law is clear that the financial responsibility is not the responsibility of the parents. Vote 18-0.

Amendment (1365h)

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

1 School Attendance. Amend the section heading in RSA 193:3 to read as follows:

193:3 Change of School or Assignment[; ~~Manifest Educational Hardship or Best Interest; Excusing Attendance~~].

2 New Paragraph; School Attendance. Amend RSA 193:3 by inserting after paragraph III the following new paragraph:

IV.(a) Any person having custody of a child may apply to enroll that child in a public school or public academy outside the school district in which the person and child reside. If the non-resident school district or public academy agrees to enroll the child it may charge tuition to the parent or may enter into an agreement for payment of tuition with the school district in which the child resides.

(b) When a child is enrolled pursuant to subparagraph (a), the district in which the child is enrolled shall immediately notify the district in which the child resides of the name, date of birth, address, and grade assignment of the child. This same notification shall be made at the beginning of each school year for which the child is enrolled.

(c) When a child is enrolled pursuant to subparagraph (a), the district in which the child resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C.

(d) The decision by a school district or a public academy to deny enrollment of a non-resident pupil shall not be based, in whole or in part, on whether such pupil is a child with a disability as defined in RSA 186-C:2, I, or a child that requires an accommodation under the Rehabilitation Act of 1973, as amended.

(e) The decision of a parent to enroll a child in a charter school shall not be subject to the provisions of this section.

(f) Disputes related to the provision of special education services under this paragraph shall be governed by RSA 186-C.

3 New Paragraph; Special Education; Liability for Expenses. Amend RSA 186-C:13 by inserting after paragraph III the following new paragraph:

IV. When a child is enrolled pursuant to 193:3, IV, the district in which the child resides shall retain the liability for expenses as set forth in this section.

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

SB 357-FN, authorizing the judicial retirement plan to deduct a health insurance premium contribution from allowances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill would allow for the deduction of medical premiums from the judges' retirement checks. Currently they are billed each month for the premium. This results in extra postage and clerical work. The original bill stated that the premium shall be deducted: The committee changed it to may be deducted so that the judge or surviving spouse could choose the preferred payment method as all other state retirees do with medical premiums. Vote 18-0.

Amendment (1640h)

Amend RSA 100-C:11-a as inserted by section 1 of the bill by replacing it with the following:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and spouses under the age of 65 years receiving medical and surgical benefits payable under RSA 21-I:30, shall be responsible for payment of a premium contribution amount of \$65 per month for each such retiree and \$65 per month for each applicable spouse; provided that the charge to each household shall not exceed \$130 per month. The retiree may elect to have the payment required under this section be deducted by the judicial retirement plan 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.

SB 414, relative to the Mount Washington commission. **REFER FOR INTERIM STUDY.**

Rep. Patricia M. McMahon for Executive Departments and Administration: This bill attempts to correct numerous management challenges arising from the structure of the

Mount Washington Commission. These individuals represent non-profit organizations, for profit businesses, a private board and a public agency, and tasks that include developing leases, selection of appointments, and monitoring revenues and expenditures. Because of the complexity of multiple goals, missions, and relationships the committee needed additional time to review the information and gain additional insight before making recommendations. Vote 17-0.

SB 491, relative to in-state preferences on state vendor contracts and criteria for debarment of vendors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill addresses two subjects. The first is to enhance New Hampshire business opportunity and to reduce unemployment in this state. The bill gives a selection preference to New Hampshire vendors who would in any case qualify in the procurement of goods and services by the division of plant and property management. Second, the bill bars certain vendors from competing for state contracts when they have been debarred from performing and/or competing for federal or state contracts or have engaged in other prohibited conduct. Vote 18-0.

Amendment (1452h)

Amend RSA 21-I:11-b as inserted by section 1 of the bill by replacing it with the following:

21-I:11-b Identical Qualified Lowest Bids, Proposals, or Quotations.

I. The purpose of this section is to promote procurement practices and procedures which the general court believes will improve the state's procurement process while at the same time establishing a vendor selection procedure which, among other things, is specifically geared toward reducing unemployment and stimulating economic growth in this state.

II. To promote business in this state, when qualified lowest bids, proposals, or quotations are received by the division of plant and property management at the same price, the division's selection or recommendation for selection shall, if the process is not cancelled by the state, be made by drawing lots, provided, however, that if only one of the vendors offering that price has a principal place of business in New Hampshire, that vendor shall, if the process is not cancelled by the state, be selected or recommended for selection. When qualified lowest bids, proposals, or quotations are received at the same price from more than one vendor which has a principal place of business in New Hampshire, selection or recommendation for selection shall, if the process is not cancelled by the state, be made by drawing lots from among the vendors with a principal place of business in New Hampshire.

III. This section shall not apply to bids, quotations, or proposals which may be issued, received, or reviewed by the department of transportation on behalf of the division of plant and property management, bureau of public works design and construction. In such cases, the procedures of the department of transportation shall apply.

Amend RSA 21-I:11-c, I as inserted by section 1 of the bill by replacing it with the following:

I.(a) No individual or business entity shall make a bid, proposal, or quotation in response to a request for bid, proposal, or quotation issued by the division of plant and property management if that individual or entity, or any of its subsidiaries, affiliates, or principal officers:

(1) Has, within the past 2 years, been convicted of, or pleaded guilty to, a violation of RSA 356:2, RSA 356:4, or any state or federal law or county or municipal ordinance prohibiting specified bidding practices, or involving antitrust violations, which has not been annulled;

(2) Has been prohibited, either permanently or temporarily, from participating in any public works project pursuant to RSA 638:20;

(3) Has previously provided false, deceptive, or fraudulent information on a vendor code number application form, or any other document submitted to the state of New

Hampshire, which information was not corrected as of the time of the filing a bid, proposal, or quotation;

(4) Is currently debarred from performing work on any project of the federal government or the government of any state;

(5) Has, within the past 2 years, failed to cure a default on any contract with the federal government or the government of any state;

(6) Is presently subject to any order of the department of labor, the department of employment security, or any other state department, agency, board, or commission, finding that the applicant is not in compliance with the requirements of the laws or rules that the department, agency, board, or commission is charged with implementing;

(7) Is presently subject to any sanction or penalty finally issued by the department of labor, the department of employment security, or any other state department, agency, board, or commission, which sanction or penalty has not been fully discharged or fulfilled;

(8) Is currently serving a sentence or is subject to a continuing or unfulfilled penalty for any crime or violation noted in this section;

(9) Has failed or neglected to advise the division of any conviction, plea of guilty, or finding relative to any crime or violation noted in this section, or of any debarment, within 30 days of such conviction, plea, finding, or debarment;

(10) Has been placed on the debarred parties list specified in paragraph II within the past year.

(b) All individuals or business entities submitting a bid, proposal, or quotation in response to a request for a bid, proposal, or quotation issued by the division of plant and property management shall, as part of their response, provide an affidavit signed under oath that all conditions listed in subparagraphs (a)(1)-(10) have been met. Failure to submit such an affidavit or, should the affidavit be false or signed by an unauthorized person, the bid, proposal, or quotation shall be automatically rejected and the resulting contract, if any, shall be deemed to be in breach.

Amend RSA 21-I:11-c as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraph:

VII. This section shall not apply to bids, quotations, or proposals which may be issued, received, or reviewed by the department of transportation on behalf of the division of plant and property management, bureau of public works design and construction. In such cases, the procedures of the department of transportation shall apply.

Amend the bill by replacing section 2 with the following:

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

SB 493-FN, relative to the use of best value contracting by state agencies and establishing a best value procurement commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill would have created a second study commission very parallel in membership and purpose to the one proposed by SB 495. The committee felt that would duplicate both legislative and staff effort and resources, as well as being contrary to the House's current policy of reducing study commissions. Therefore, the committee recommended combining the contents of both bills into one, in this instance SB 495. Once that was accomplished, this bill was not needed. Vote 17-0.

SB 73-FN, requiring the state government to reduce energy consumption in state buildings, to develop an energy conservation plan, and to make an annual report on the state's energy consumption. **OUGHT TO PASS.**

Rep. Bernard L. Benn for Finance: This bill requires all state departments to identify cost effective measures to reduce fossil fuel energy consumption in state-owned buildings by 25%

by the year 2025. The fuel consumption levels are to be calculated on a per square foot basis, compared to a 2005 baseline. This goal complements the state's goal of obtaining 25 % of its energy from renewable energy sources in the same time period. Beginning in 2012, the departments will submit annual progress reports to the commissioner of department of administrative services detailing the efforts and results toward meeting the energy reduction goal. The commissioner will compile these reports and make them available to the public. The departments believe these reports can be done within existing resources and without additional staff. Vote 20-0.

SB 375*, relative to the state park system as a self-supporting entity. **INEXPEDIENT TO LEGISLATE.*

Rep. W. Douglas Scamman for Finance: The committee determined from testimony and our discussions that there is no statute preventing general funds from being appropriated for the park system. The practice for 20 years has been not to fund the park system with general funds. No statute needs to be passed to allow general funds to be used in the future. Future legislatures can and will do what they think is good for the state of New Hampshire and our park system. This legislation is not needed. Vote 21-0.

SB 481*, relative to appropriations for certain turnpike system projects. **OUGHT TO PASS.*

Rep. Robert A. Foose for Finance: SB 481 re-appropriates funding for several turnpike projects to take advantage of savings that resulted from other projects that have been contracted at below-budget levels. All projects involved are in the ten year plan and, as a result of this action, the state will receive more value for its budgeted funds. Vote 21-0.

SB 512-FN*, relative to the community college system of New Hampshire. **OUGHT TO PASS.*

Rep. Peter F. Bergin for Finance: This bill is a continuation of the effort, started in 2005, to make the New Hampshire community college system autonomous. It will amend the law to reflect the closing of the campus in Stratham which is now in the Pease International Trade Center. In addition, it will make budgetary changes which will further separate its dependence on administrative services. It also clarifies collective bargaining agreements, and the community college participation in the New Hampshire retirement system. The bill will have no fiscal impact on the current budget. Vote 21-0.

SB 320*, relative to occupational exposure to the human immunodeficiency virus. **OUGHT TO PASS WITH AMENDMENT.*

Rep. Rich T. DiPentima for Health, Human Services and Elderly Affairs: This bill, as amended, would allow physicians licensed to practice in New Hampshire, or a person authorized by the physician, to perform an HIV test on a person who is incapable of giving consent to the test, when an individual has had an occupational exposure to the person's blood or bodily fluids. The bill would prohibit the billing of the person and/or their insurer for such testing. This bill would provide needed protection of a health care worker who may experience an occupational exposure during the treatment of an individual who is unable to provide the required consent for this testing. This information is needed quickly in order to initiate appropriate post-exposure treatment to the exposed worker. The confidentiality of the tested individual is maintained by prohibiting the billing of the individual and/or their insurer. The bill as amended was supported by the department of health and human services and health care industry. Vote 14-0.

Amendment (1388h)

Amend RSA 141-F:5, V as inserted by section 1 of the bill by replacing it with the following:

V.(a) A physician licensed to practice in this state, or a person authorized by the physician, may, without obtaining consent to the testing, test for the presence of an antibody

or antigen to a human immunodeficiency virus when the person being tested is incapable of giving informed consent and when a test for the presence of an antibody or antigen to a human immunodeficiency virus is immediately necessary to protect the health of the person ***or an individual who has had an occupational exposure to the person's blood or bodily fluids. When the test is performed to protect the health of an individual who has had an occupational exposure on a person who is incapable of giving informed consent, such person and/or such person's insurer shall not be billed for the cost of the test.***

AMENDED ANALYSIS

This bill allows an individual who has had an occupational exposure to an unconscious person's blood or bodily fluids to have the unconscious person expeditiously tested for the human immunodeficiency virus. The bill prohibits the billing of the cost of such a test to the unconscious person and/or his or her insurer.

SB 427, adding duties to the oversight committee on health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne S. Butcher for Health, Human Services and Elderly Affairs: This bill would promote coordination and efficiency by combining the responsibilities of three joint committees. The bill moves the responsibilities of the developmental disabilities oversight committee to the health and human services oversight committee (HHSOC) and creates a mechanism for HHSOC to appoint other ancillary bodies to assist in carrying out its responsibilities. The amendment would also move to HHSOC the responsibilities of the joint legislative committee on elderly affairs, including liaison with the state committee on aging (SCOA), which would continue unchanged. In addition to legislative efficiency, these changes would reduce duplicative demands on the department of health and human services. The changes were developed in consultation with the department and the "committee on committees." Vote 15-0.

Amendment (1665h)

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

AN ACT relative to the duties of the oversight committee on health and human services.

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

1 Oversight Committee on Health and Human Services. Amend the section heading of RSA 126-A:13 to read as follows:

126-A:13 Oversight Committee; Establishment; ***Purpose.***

2 New Paragraph; Oversight Committee on Health and Human Services; Purpose Added. Amend RSA 126-A:13 by inserting after paragraph II the following new paragraph:

III. The oversight committee on health and human services shall provide legislative oversight of the department to support a cost effective, comprehensive, coordinated system of health and human services that is family-centered and community-based. The committee shall promote greater efficiencies by consolidating and centralizing reporting requirements and other responsibilities of the department under this section to avoid duplication of efforts involving other non-regulatory boards, commissions, councils, advisory committees, and task forces.

3 Duties of the Oversight Committee on Health and Human Services. RSA 126-A:15 is repealed and reenacted to read as follows:

126-A:15 Duties of Oversight Committee.

I. The committee shall provide legislative oversight of and informational meetings on the programs, policies, and rules of the department as brought to its attention by committee members, legislators, department personnel, or others. The committee shall monitor the efficiency of operation and the quality of service provided by the department's programs. The committee's work may include, but is not limited to, analyzing the efficacy of selected programs, studying the characteristics of target populations, researching trends affecting

program costs and participation, and reviewing alternate approaches to programmatic and administrative concerns. The committee may make recommendations to the commissioner and recommendations for legislation as indicated by its findings. The committee shall maintain communications with the department, and any other departments, as necessary to accomplish its work.

II. The oversight committee shall create subcommittees, councils, task forces, or other ancillary bodies as necessary to implement its responsibilities. In developing these bodies, the committee shall take into account major program areas of the department and populations served by the department, such as public health, behavioral health, developmental disabilities, and elderly and adult services. The authorization for each such body shall be repealed on December 31 of the even-numbered year of the biennium. The committee shall:

(a) Establish specific guidelines or outcomes for each such body, including reporting requirements.

(b) Appoint members to each such body, including at least one legislator and, as appropriate, other members as determined by the expertise necessary to accomplish the work of the body. Legislative members need not be a member of the oversight committee.

(c) Appoint a chair of each such body, who shall be a legislator and who shall act as the liaison between the body and the oversight committee.

III. Directly or through an ancillary body, the oversight committee shall review quarterly the allocation of funds to and receipt of services by persons with developmental disabilities and acquired brain disorders, to assure that eligible persons receive services in a timely manner and in accordance with their needs as provided in RSA 171-A.

IV. Directly or through an ancillary body, the oversight committee shall serve as the legislative liaison for the state committee on aging, established under RSA 161-F:7, and shall consider the major problems facing elderly citizens.

V. The committee shall meet at the call of the chair but in no case less than every 2 months.

VI. The committee shall make a report no later than the first day of November of the second year of the biennium as to its activities and recommendations to the speaker of the house of representatives and the president of the senate.

4 State Committee on Aging. Amend RSA 161-F:7, I to read as follows:

I. There shall be a state committee on aging which shall consist of 18 members. The governor shall appoint 15 members with the approval of the council. Those appointed by the governor shall include at least one member from each county. The committee shall also include ~~[the chairman of the joint legislative committee on elderly affairs]~~ **a legislator appointed by the chair of the oversight committee on health and human services**, one representative appointed by the speaker of the house, and one senator appointed by the president of the senate. Each of the members shall serve for a term of 3 years except the legislative members' terms shall be co-terminous with their 2-year legislative terms. At least 8 members shall be 60 years of age or older at the time of their appointment, and not more than 8 members shall be of the same political party. Nine members shall constitute a quorum. No member shall serve more than 2 consecutive terms, and no member shall have a material financial interest in any agency receiving federal or other funds administered by the division of elderly and adult services.

5 Repeals. The following are repealed:

I. RSA 17-H, relative to the joint legislative committee on elderly affairs.

II. RSA 171-A:1-c, relative to the oversight committee to review the allocation of funds to persons with developmental disabilities or acquired brain disorders.

III. RSA 171-A:1-d, relative to the capacity of the developmental disability services delivery system.

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

AMENDED ANALYSIS

This bill revises the duties of the oversight committee on health and human services. This bill repeals the joint legislative committee on elderly affairs, the oversight committee to review the allocation of funds to persons with developmental disabilities or acquired brain disorders, and the law relative to the capacity of the developmental disability services delivery system and adds those duties to the oversight committee on health and human services. The bill also permits the oversight committee on health and human services to establish ancillary bodies to study specific issues relevant to services offered by the department of health and human services.

SB 518, relative to membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. **OUGHT TO PASS WITH AMENDMENT.** Rep. Alida I. Millham for Health, Human Services and Elderly Affairs: This bill, as originally submitted, intended to add a youth member to the commission on alcohol and drug abuse prevention, intervention and treatment. While the committee, the chair of the commission and representatives from New Futures agree that youth participation regarding these issues is important, it was agreed that a more productive venue for youth would be at the task force level. This bill as amended appropriately accommodates youth involvement in these areas. Vote 15-0.

Amendment (1774h)

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

AN ACT relative to the participation of youth a adjunct members of task forces of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

Amend the bill by replacing section 1 with the following:

1 Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention, and Treatment; Youth Participation. Amend RSA 12-J:2, II(c) to read as follows:

(c) Based upon recommendations from each task force, the commission chairperson may appoint as many as 8 individuals to serve as adjunct members of each task force for a term of one year. ***In appointing adjunct members, the chairperson shall ensure that youth have the opportunity to participate directly in the work of appropriate task forces.***

AMENDED ANALYSIS

This bill requires the chairperson of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment to ensure that youth have an opportunity to participate in the work of appropriate task forces.

SB 358-FN, relative to whistleblower protection and waste prevention in state government. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services: This bill provides expanded protections for state and municipal employees who object or refuse to participate in activities they believe violate laws and/or are a misuse of public funds. The bill authorizes the labor commissioner to investigate illegal activities or alleged misuse of public funds that are presented by a public employee. Vote 12-0.

Amendment (1913h)

Amend RSA 275-E:8 as inserted by section 1 of the bill by replacing all after paragraph IV with the following:

V. The labor commissioner shall adopt rules under RSA 541-A relative to the complaint investigation process established in this section, including the administrative procedure used for responding to complaints, gathering additional information, and rendering decisions.

VI. For purposes of this subdivision, the labor commissioner shall include any person designated by the labor commissioner to carry out the investigation authorized by this

section. Public employee shall mean any employee of a governmental entity, as defined in RSA 275-E:1, III.

Amend RSA 275-E:9 as inserted by section 1 of the bill by replacing it with the following:

275-E:9 Protection of Public Employees. No governmental entity shall threaten, discipline, demote, fire, transfer, reassign, or discriminate against a public employee who files a complaint with the department of labor under RSA 275-E:8 or otherwise discloses or threatens to disclose activities or information that the employee reasonably believes violates RSA 275-E:2, represents a gross mismanagement or waste of public funds, property, or manpower, or evidences an abuse of authority or a danger to the public health and safety. Any public employee who files such a complaint or makes such a disclosure shall be entitled to all rights and remedies provided by this chapter.

Amend RSA 275-E:2 as inserted by section 2 of the bill by replacing it with the following:

275-E:2 Protection of Employees Reporting Violations.

I. No employer shall harass, abuse, intimidate, discharge, threaten, or otherwise discriminate against any employee regarding compensation, terms, conditions, location, or privileges of employment because:

(a) The employee, in good faith, reports or causes to be reported, verbally or in writing, what the employee has reasonable cause to believe is a violation of any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States; or

(b) The employee objects to or refuses to participate in any activity that the employee, in good faith, believes is a violation of the law; or

(c) The employee, in good faith, participates, verbally or in writing, in an investigation, hearing, or inquiry conducted by any governmental entity, including a court action, which concerns allegations that the employer has violated any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States.

II. An aggrieved employee may bring a civil suit within 3 years of the alleged violation of this section. The court may order reinstatement and back-pay, as well as reasonable attorney fees and costs, to the prevailing party.

AMENDED ANALYSIS

The bill expands the provisions of the whistleblower protection act to include employees who object to or refuse to participate in any activity that the employee believes is a violation of law. This bill also authorizes the labor commissioner to investigate allegations of fraud, abuse, or waste in the expenditure of public funds and adds additional protections to the whistleblower protection act for public employees who file such complaints.

SB 416, relative to the state minimum hourly wage applicable to tipped restaurant employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Labor, Industrial and Rehabilitative Services: The definition a restaurant used to determine who is a tipped employee was changed in 2007, and had unintended consequences. It put take-out food delivery drivers in 2 categories. If you work as a delivery driver for a restaurant with seating and service, and received tips, you are considered a tipped employee, but if you worked as a delivery driver and received tips for a restaurant that just does take-out and delivery with no seating you are not considered a tipped employee. SB 416 will put drivers who deliver food and receive tips for either a dine-in or take-out and delivery restaurant and classify them both as tipped employees. SB 416 sunsets in December 2011, giving the department of labor time to fix the existing problem in rules. Vote 11-0.

Amendment (1914h)

Amend the bill by replacing all after section 1 with the following:

2 Tipped Employees; Version Effective December 31, 2011. Amend the introductory paragraph of RSA 279:21 to read as follows:

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended, or as follows, whichever is higher:

Date Hourly	Rate
On and after September 1, 1997	\$5.15
On and after September 1, 2007	\$6.50
On and after September 1, 2008	\$7.25

Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. ~~[Restaurant shall include an establishment in a temporary or permanent building, kept, used, maintained, advertised and held out to the public to be a place where meals are regularly prepared or served for which a charge is made and where seating and table service is available for customers or where delivery services are available. The term does not include establishments which do not primarily prepare and serve food. Tipped employees shall also include employees who deliver meals prepared in a restaurant to the customer's home, office, or other location.]~~ If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

3 Effective Date.

I. Section 2 of this act shall take effect December 31, 2011.

II. The remainder of this act shall take effect upon its passage.

SB 420, relative to the use of mail-order pharmacies for prescription drug benefits under accident and health insurance policies and plans, and establishing a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary L. Daniels for Labor, Industrial and Rehabilitative Services: This bill as amended places into standards for accident and health insurance that subject to the terms and conditions of a patient's insurance plan, the patient would be guaranteed access to all pharmacies within his or her insurance plan network. It also establishes a study committee to study pharmacy benefits management for injured workers covered by the workers' compensation law. Vote 12-0.

Amendment (1501h)

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

AN ACT relative to the use of pharmacies for prescription drug benefits under accident and health insurance policies and plans, and establishing a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law.

Amend the bill by replacing section 1 with the following:

1 New Section; Standards for Accident and Health Insurance; Prescription Drug Benefits; Pharmacies. Amend RSA 415-A by inserting after section 5-a the following new section:

415-A:5-b Prescription Drug Benefits; Pharmacies. Subject to the terms and conditions of the patient's insurance plan, the patient shall have access to any pharmacy in his or her insurance plan network.

AMENDED ANALYSIS

This bill requires that insurers providing prescription drug benefits under accident and health insurance policies and plans allow patients to use any pharmacy in their insurance plan network. The bill also establishes a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law.

SB 316, establishing a statewide transportation policy. **REFER FOR INTERIM STUDY.**
Rep. David B. Campbell for Public Works and Highways: At a recent committee work session with the representatives of the Federal Highway Administration and NH DOT regarding the preparation and effect of the state's long term statewide policy, the FHA gave the committee some excellent information and guidelines regarding this issue. Given this, the committee voted unanimously to send this legislation to interim study to allow time to thoughtfully address the state's long term transportation policy. Vote 17-0.

SB 428, establishing a committee to study dispatch times within the enhanced 911 system. **OUGHT TO PASS WITH AMENDMENT.**
Rep. David A. Borden for Science, Technology and Energy: Some towns and residents therein feel that there is an unnecessary delay from the time a 911 call is placed to the time emergency equipment arrives. This study would create a committee to document the actual times such transactions take and identify the gaps in service, if they exist. Vote 14-1.

Amendment (1858h)

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

AN ACT establishing a committee to study dispatch times within the enhanced 911 system from the time the call is placed to the arrival of assistance.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study dispatch times within the enhanced 911 system from the time the call is placed to the arrival of assistance.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study dispatch times within the enhanced 911 system from the time the call is placed to the arrival of assistance.

AMENDED ANALYSIS

This bill establishes a committee to review dispatch times within the enhanced 911 system from the time the call is placed to the arrival of assistance.

REGULAR CALENDAR

SB 181-FN-A, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. W. Douglas Scamman for Finance: The committee felt that the transfer of liquor enforcement to the department of safety should be delayed until the next biennium. The study in SB 181 has an interim report due in November 2010. The report will give the next legislature ample time to review the report and the effects of this proposed move. They can then determine if this change should go forward or not go forward in the next biennium. Vote 22-0.

Amendment (1863h)

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

AN ACT delaying the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission.

Amend the bill by replacing section 1 with the following:

1 Liquor Enforcement Transfer; Effective Date. Amend 2009, 144:301, VIII to read as follows:

VIII. Sections 163-175 of this act shall take effect July 1, ~~2010~~ **2011**.

Amend paragraph IV of section 2 of the bill by replacing it with the following:

IV. The committee shall study:

(a) Whether the liquor commission should have an executive director rather than a full-time 3-member commission;

(b) How best to ensure impartial review of appeals of licensing and enforcement decisions;

(c) How best to ensure that the enforcement division is properly supervised, contains its function to that of a regulatory authority, and guards against overly broad interpretation of its function; and

(d) Whether a liquor commission ombudsman should be appointed and the duties and responsibilities of that office.

Amend paragraph VI of section 2 of the bill by replacing it with the following:

VI. The committee shall submit an interim report on or before November 1, 2010 and a final report on or before June 30, 2011 of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

AMENDED ANALYSIS

This bill delays the transfer of liquor enforcement to the department of safety from July 1, 2010 until July 1, 2011. This bill also establishes a committee to study the administrative structure and adjudicative process at the liquor commission.

MOTION TO SPECIAL ORDER

Rep. Taylor moved that ***SB 181-FN-A***, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission, be made a Special Order to the end of the Regular Calendar.

Adopted.

REGULAR CALENDAR (CONT'D)

SB 344-FN, relative to employment and retirement benefits of certain non-judicial court employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert A. Foose for Finance: This bill proposed that an employee who had worked with distinction in the Manchester court system for 30 years be allowed to receive a benefit normally provided to members of the New Hampshire retirement system even though the Manchester retirement system in which she had been enrolled does not provide it. In researching the request the committee learned that the employee was one of six who chose to stay in the Manchester system when the option to shift to the New Hampshire system was first offered in 1984. Each of the other five similarly situated employees had retired without requesting an end of career adjustment. After extensive discussion the committee concluded that it was inappropriate to make an exception for a single employee since the option to switch systems had existed during her entire career. Vote 15-4.

Rep. Nixon spoke against.

Rep. Foose spoke in favor and yielded to questions.

Rep. Nixon requested a roll call; sufficiently seconded.

YEAS 270 NAYS 84

YEAS 270

BELKNAP

Arsenault, Beth
Merry, Liz
Russell, David
Wendelboe, Fran

Boyce, Laurie
Millham, Alida
Stuart, Richard

Flanders, Donald
Nedeau, Stephen
Swinford, Elaine

Johnson, William
Pilliod, James
Veazey, John

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Chandler, Gene	Fleck, Joseph	Knox, J. David	McConkey, Mark
Patten, Betsey	Roberts, John	Scala, Dino	Stevens, Stanley
Umberger, Karen	Wiley, Susan		

CHESHIRE

Allen, Peter	Butterworth, Timothy	Butynski, William	Carlson, Nancy
Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Lerandeau, Alfred	Lindsey, Steven	Mitchell, Bonnie	Richardson, Barbara
Roberts, Kris	Sad, Tara	Sterling, Franklin Jr	Weber, Lucy

COOS

Hatch, William	Mears, Lucy	Rappaport, Laurence	Stohl, Eric
Holl, John Jr	Thomas, Yvonne		

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Gionet, Edmond	Gould, Franklin	Harding, Laurie
Ingbretson, Paul	Ladd, Rick Jr	Laliberte, Suzanne	Matheson, Robert
Nordgren, Sharon	Pastor, Beatriz	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles	Ward, Brien	Williams, Burton

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Chandley, Shannon	Christensen, Chris	Christiansen, Lars	Cote, David
Daniels, Gary	Day, Russell	Doherty, Shaun	Dokmo, Cynthia
Drisko, Richard	Elliott, Nancy	Emerton, Larry	Foster, Linda
Gagne, Larry	Gandia, Laura	Gargas, Carolyn	Garrity, Patrick
Gidge, Kenneth	Goley, Jeffrey	Graham, John	Haefner, Robert
Haley, Robert	Hammond, Jill	Hawkins, Ken	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hodges, Kevin	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
Jasper, Shawn	Judy, Jean	Knowles, John	Knowles, Mary Ann
Kopka, Angeline	Kurk, Neal	L'Heureux, Robert	LaPlante, Roland
Leishman, Peter	Lisle, Carolyn	Mack, Ron	Marshall, Seth
McCarthy, Michael	Mead, Robert	Moran, Edward	Movsesian, Lori
O'Brien, William	O'Neil, James	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Peterson, Andrew
Poznanski, Brian	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rosenwald, Cindy	Ryder, Donald	Schulze, Joan	Seidel, Carl
Shattuck, Gilman	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Walsh, Robert Jr
Willette, Robert	Winters, Joel		

MERRIMACK

Anderson, Eric	Bartlett, Michael	Blankenbeker, Lynne	Bouchard, Candace
Brown, Carole	Clarke, Claire	Coffey, Jennifer	Davis, Frank
Foose, Robert	Hess, David	Kelly, Sally	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	Palfrey, David	Porter, Margaret
Potter, Frances	Reed, Dennis	Richardson, Gary	Schuett, Dianne

Shurtleff, Stephen
Webb, Leigh

Smith, Todd
Wheeler, Deborah

Tilton, Joy
Williams, Robert

Wallner, Mary Jane

ROCKINGHAM

Abbott, Dennis
Bates, David
Cali-Pitts, Jacqueline
Comerford, Timothy
Devine, James
Ferrante, Beverly
Gould, Kenneth
Howard, Doreen
Itse, Daniel
Major, Norman
Nevins, Chris
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr
Stiles, Nancy
Webber, Carolyn

Allen, Mary
Belanger, Ronald
Case, Frank
Crisler, Margaret
DiFruscia, Anthony
Fesh, Robert
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
Mann, Maureen
Packard, Sherman
Priestley, Anne
Sanders, Elisabeth
Schlachman, Donna

Sullivan, James
Welch, David

Bailey, Clinton
Bettencourt, David
Casey, Kimberley
Day, Judith
Elliott, Robert
Flanders, John Sr
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McCarthy, Barbara
Pantelakos, Laura
Quandt, Matt
Sapareto, Frank
Sedensky, John

Tucker, Pamela
Weyler, Kenneth

Baldasaro, Alfred
Bishop, Franklin
Charron, Gene
DeSimone, Debra
Emiro, Frank
Garritty, James
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella
Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Groen, Warren
Kaen, Naida
Price, Susan
Schmidt, Peter
Vachon, Dennis

Brennan, William
Hofemann, Roland
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Vita, Carol

Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Wall, Janet

Cyr, James
Hubbard, Pamela
Lewis, Robert
Ryder, Mark
Twombly, James
Watters, David

SULLIVAN

Cloutier, John
Howard, Thomas
Sweeney, Cynthia

Cunningham, Steven
Osgood, Joe

Gottling, Suzanne
Rodeschin, Beverly

Harris, Sandra
Skinder, Carla

NAYS 84

BELKNAP

Bolster, Peter

Fields, Dennis

Miller, Kate

CARROLL

None

CHESHIRE

Burridge, Delmar
Parkhurst, Henry

Butcher, Suzanne
Robertson, Timothy

Carr, Daniel
Weed, Charles

Meador, David

COOS

Merrick, Evalyn

Remick, William

Theberge, Robert

GRAFTON

Friedrich, Carol

Mulholland, Catherine

Pierce, David

White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Caron, June
Flurey, Joan
Harvey, Philip
Levesque, Melanie
O'Brien, Michael Sr
Rowe, Robert
Thompson, Robert

Beauchamp, Roger
Chininis, Alexis
Gorman, Mary
Harvey, Suzanne
Long, Patrick
Pilotte, Maurice
Shaw, Barbara
Williams, Carol

Beaulieu, Jane
Clemons, Jane
Hackel, Paul
Kelley, John
Messier, Irene
Ramsey, Peter
Soucy, Timothy

Beck, Catriona
Craig, James
Hardy, Valerie
Levasseur, Nickolas
Nixon, David
Rhodes, Brian
Tahir, Saghir

MERRIMACK

French, Barbara
Owen, Derek
Tupper, Frank

Gile, Mary
Rice, Chip
Watrous, Rick

Hamm, Christine
Rodd, Beth
Yeaton, Charles

Osborne, Jessie
Stetson, William

ROCKINGHAM

Borden, David
DiPentima, Rich
Kepner, Susan
Nord, Susi
Splaine, James

Bridle, Russell
Dowling, Patricia
Lyons, Melissa
Pettersen, Don

Brown, C. Pennington
Henson, John
McEachern, Paul
Read, Robin Jr

Cushing, Robert
Hutchinson, Gina
Moody, Marcia
Russell, Trinkia

STRAFFORD

Brown, Larry
Rogers, Rose Marie

Browne, Brendon
Ward, Kenneth

Grassie, Anne

Perry, Robert

SULLIVAN

Donovan, Thomas Jr

Houde-Quimby,
Charlotte

McClammer, Jim

and the committee report was adopted.

Rep. Berube did not vote and notified the Clerk that he wished to be recorded in favor.

SB 396-FN, limiting the use of child restraint practices in schools and treatment facilities.
OUGHT TO PASS WITH AMENDMENT.

Rep. John DeJoie for Finance: The policy of this bill having been approved by the House, the finance committee reviewed financial aspects of the bill. It was determined that the fiscal note was overstated due to a misunderstanding of the reporting requirements. The amendment, drafted with the support of interested parties, makes clear that reports will be made annually, but only a sample will be reported on. By reducing the number of incidents reported on, the costs of this bill have been alleviated. Vote 18-5.

Amendment (1852h)

Amend RSA 126-T:8 and RSA 126-T:9 as inserted by section 2 of the bill by replacing them with the following:

126-T:8 Review of Restraint Records by Department of Education. The state board of education shall adopt rules, pursuant to RSA 541-A, establishing a process for periodic, regular review of records of restraint usage kept by schools and providing a process for complaints and investigations of reports of improper use of restraint in schools. Beginning November 1, 2010, and each November 1 thereafter, the state board of education shall provide an annual report to the chairperson of the children and family law committee of the

house of representatives regarding the use of restraint in schools. The annual report shall be prepared from the periodic, regular review of such records, and shall include the number and location of reported incidents and the status of any outstanding investigations.

126-T:9 Review of Restraint Records by Department of Health and Human Services.

The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, establishing a process for periodic, regular review of records of restraint usage kept by facilities and providing a process for complaints and investigations of reports of improper use of restraint in facilities, which may be through the department of health and human services, office of the ombudsman, or otherwise. Beginning November 1, 2010, and each November 1 thereafter, the commissioner of the department of health and human services shall provide an annual report to the chairperson of the children and family law committee of the house of representatives regarding the use of restraint in facilities. The annual report shall be based on the periodic, regular review of such records and shall include the number and location of reported incidents and the status of any outstanding investigations.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 218 NAYS 141

YEAS 218

BELKNAP

Arsenault, Beth
Miller, Kate

Bolster, Peter
Pilliod, James

Johnson, William
Russell, David

Merry, Liz
Stuart, Richard

CARROLL

Bridgham, Robert
Umberger, Karen

Buco, Thomas
Wiley, Susan

Butler, Edward

Chandler, Gene

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Burridge, Delmar
Carlson, Nancy
Meador, David
Roberts, Kris
Weed, Charles

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butterworth, Timothy
Lerandean, Alfred
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William
Theberge, Robert

Mears, Lucy
Thomas, Yvonne

Merrick, Evalyn

Stohl, Eric

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pastor, Beatriz
Taylor, Kathleen

Almy, Susan
Friedrich, Carol
Matheson, Robert
Pierce, David
Townsend, Charles

Benn, Bernard
Gould, Franklin
Mulholland, Catherine
Preston, Philip
White, Andrew

Cooney, Mary
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
 Bergin, Peter
 Clemons, Jane
 Flurey, Joan
 Gidge, Kenneth
 Haley, Robert
 Harvey, Suzanne
 Kelley, John
 L'Heureux, Robert
 Levesque, Melanie
 Marshall, Seth
 O'Brien, Michael Sr
 Poznanski, Brian
 Schulze, Joan
 Thompson, Robert

Beauchamp, Roger
 Caron, June
 Cote, David
 Foster, Linda
 Goley, Jeffrey
 Hammond, Jill
 Hawkins, Ken
 Knowles, John
 LaPlante, Roland
 Lisle, Carolyn
 Messier, Irene
 O'Neil, James
 Ramsey, Peter
 Shattuck, Gilman
 Walsh, Robert Jr

Beaulieu, Jane
 Chandley, Shannon
 Craig, James
 Gargas, Carolyn
 Gorman, Mary
 Hardy, Valerie
 Hodges, Kevin
 Knowles, Mary Ann
 Leishman, Peter
 Long, Patrick
 Movsesian, Lori
 Pellegrino, Tony
 Rhodes, Brian
 Shaw, Barbara
 Williams, Carol

Beck, Catriona
 Chininis, Alexis
 Emerton, Larry
 Garrity, Patrick
 Hackel, Paul
 Harvey, Philip
 Jeudy, Jean
 Kopka, Angeline
 Levasseur, Nickolas
 Mack, Ron
 Nixon, David
 Pilotte, Maurice
 Rosenwald, Cindy
 Soucy, Timothy
 Winters, Joel

MERRIMACK

Anderson, Eric
 Clarke, Claire
 Gile, Mary
 Owen, Derek
 Richardson, Gary
 Stetson, William
 Watrous, Rick

Bartlett, Michael
 Davis, Frank
 Hamm, Christine
 Porter, Margaret
 Rodd, Beth
 Tilton, Joy
 Wheeler, Deborah

Bouchard, Candace
 Foose, Robert
 Kelly, Sally
 Potter, Frances
 Schuett, Dianne
 Tupper, Frank
 Williams, Robert

Brown, Carole
 French, Barbara
 Osborne, Jessie
 Rice, Chip
 Shurtleff, Stephen
 Wallner, Mary Jane
 Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
 Cali-Pitts, Jacqueline
 Cushing, Robert
 DiPentima, Rich
 Hutchinson, Karen
 Major, Norman
 Moody, Marcia
 Priestley, Anne
 Splaine, James
 Weyler, Kenneth

Borden, David
 Case, Frank
 Day, Judith
 Henson, John
 Itse, Daniel
 Mann, Maureen
 Nord, Susi
 Read, Robin Jr
 Stiles, Nancy

Bridle, Russell
 Casey, Kimberley
 DeSimone, Debra
 Howard, Doreen
 Kepner, Susan
 McCarthy, Barbara
 Pantelakos, Laura
 Russell, Trink
 Tucker, Pamela

Brown, C. Pennington
 Comerford, Timothy
 DiFruscia, Anthony
 Hutchinson, Gina
 Lyons, Melissa
 McEachern, Paul
 Petterson, Don
 Schlachman, Donna
 Webber, Carolyn

STRAFFORD

Berube, Roger
 Burke, Rachel
 Horrigan, Timothy
 Lauterborn, Elaine
 Rogers, Rose Marie
 Smith, Marjorie
 Wall, Janet

Brennan, William
 Cyr, James
 Hubbard, Pamela
 Lewis, Robert
 Rollo, Deanna
 Spang, Judith
 Ward, Kenneth

Brown, Larry
 Grassie, Anne
 Kaen, Naida
 Perry, Robert
 Rous, Emma
 Sprague, Dale
 Watters, David

Browne, Brendon
 Hofemann, Roland
 Keans, Sandra
 Price, Susan
 Schmidt, Peter
 Vachon, Dennis

SULLIVAN

Cloutier, John
 Harris, Sandra

Donovan, Thomas Jr
 Houde-Quimby,
 Charlotte

Gagnon, Raymond
 McClammer, Jim

Gottling, Suzanne
 Skinder, Carla

Sweeney, Cynthia

BELKNAP

Boyce, Laurie
Nedeau, Stephen

Fields, Dennis
Swinford, Elaine

Flanders, Donald
Veazey, John

Millham, Alida
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
Patten, Betsey

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

McConkey, Mark
Stevens, Stanley

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Doherty, Shaun
Gagne, Larry
Hikel, John
Holden, Frank
Jasper, Shawn
Moran, Edward
Palmer, Stephen
Price, Pamela
Seidel, Carl
Tahir, Saghir
Willette, Robert

Belvin, William
Christiansen, Lars
Dokmo, Cynthia
Gandia, Laura
Hinch, Richard
Holden, Rip
Kurk, Neal
O'Brien, William
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Ulery, Jordan

Boehm, Ralph
Daniels, Gary
Drisko, Richard
Graham, John
Hinkle, Peyton
Hopper, Gary
McCarthy, Michael
Ober, Lynne
Peterson, Andrew
Rowe, Robert
Soucy, Connie
Vaillancourt, Steve

Cebrowski, John
Day, Russell
Elliott, Nancy
Haefner, Robert
Hogan, Edith
Infantine, William
Mead, Robert
Ober, Russell III
Pratt, Calvin
Ryder, Donald
Spaulding, Jayne
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne
Lockwood, Priscilla
Smith, Todd

Coffey, Jennifer
McGuire, Carol
Webb, Leigh

Hess, David
Palfrey, David

Kotowski, Frank
Reed, Dennis

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Crisler, Margaret
Emiro, Frank
Garrity, James
Hoelzel, Kathleen
Katsakiores, Phyllis
Packard, Sherman
Rausch, James
Scamman, Stella

Bailey, Clinton
Bettencourt, David
Devine, James
Ferrante, Beverly
Gould, Kenneth
Ingram, Russell
Kolodziej, Walter
Perkins, Amy
Reagan, John
Scamman, W.

Baldasaro, Alfred
Bishop, Franklin
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Introne, Robert
McKinney, Betsy
Perkins, Lawrence
Sanders, Elisabeth
Sedensky, John

Bates, David
Charron, Gene
Elliott, Robert
Flanders, John Sr
Hagan, Joseph
Kappler, L. Mike
Nevins, Chris
Quandt, Matt
Sapareto, Frank
Smith, William

Sullivan, James	Douglas Jr Weare, Everett	Welch, David	Wells, Roger
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STRAFFORD

Bickford, David Vita, Carol	Groen, Warren	Ryder, Mark	Twombly, James
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SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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and the committee report was adopted.
Ordered to third reading.

SB 450-FN, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Marjorie K. Smith for the Majority of Finance: SB 450 came to the house relative to costs and expenditures of the department of health and human services and other matters. Since the FY 2010-2011 budget became law 14 months ago, revenue has come in below expectations and the demand for services for New Hampshire citizens dependent upon state support has increased. While the governor can take steps to decrease spending, in some cases with the approval of the fiscal committee, he cannot adjust the judicial and legislative budgets, nor can he raise revenue without the legislature. The governor identified those actions which would require legislative approval and the committee held a series of hearings and work sessions on the governor's proposal and proposals of others. House ways and means and public works and highways committees held work sessions on certain sections of amendment 1311, hearings on other proposals, and then reported their findings to the house finance committee. The committee reviewed myriad proposals and the committee amendment reflects the committee majority's determination of the best possible mix of spending and revenue adjustments that are available to the committee at this time. The committee approved general fund appropriations adjustments, netting \$37,308,490 in cuts. The total biennial adjustments, including new revenue, debt restructuring, and other actions total a cut of \$181,801,148 over the biennium. Concerning revenue impacts, the amendment repeals both the campsite rooms and meals tax and the interest and dividend tax on LLCs. It institutes or adjusts taxes on other tobacco products (excluding cigarettes and hand wrapped cigars), an electricity generation tax which shifts the burden from in-state consumers to electricity generators, whether they be in or out of state (excluding renewable power sources), returns the insurance premium tax to 2% and institutes an estate tax on estates over \$2 million. The amendment gives authority to the state treasurer to restructure existing debt, decreased the rate of state contribution to municipalities to support their retirement expenses, and moves \$80 million in state fiscal stabilization funds to FY 2010 from FY 2011. In trying to identify general fund cuts, the committee was cognizant of the importance of supporting community based programs, job creating programs, and preventive programs. Among the changes suggested by the governor that the committee did not accept were a \$318,000 cut in the domestic violence program, a \$100,000 general fund cut in home support waiver services and the elimination of incentive funds, although we supported a decrease in those funds. We cut in half the cut to catastrophic aid in the department of education budget, continue funding of the North Country Transportation program, and suspend for one year only the catastrophic illness and senior volunteer grant program at DHHS. The committee did not agree to the governor's suggestion of a \$4 million cut to the judicial branch budget. The amendment allows cities, towns and school districts to hold special meetings to address changes in budgets brought about by this bill and gives cities and towns local options to institute a local rooms and meals tax if they so desire. The bill

establishes a commission to review business taxes and a committee to plan to move residents of the women's prison and the Sununu Center into different facilities as part of an effort not only to save expenses but also to provide a more appropriate physical placement for these groups. While this legislature is under no obligation to take steps now to ensure the maintenance of a budget that will be balanced on June 30, 2011, this is a responsible step toward that desired end. Over the years, we have frequently not had a budget that balanced at the end of the first year of the biennium, and on a few rare occasions have had a budget that did not balance at the end of the biennium. Our goal in this amendment and always, is to end the biennium with a balanced budget and this is an important step in that process. Vote 13-12.

Rep. Neal M. Kurk for the Minority of Finance: The bipartisan minority believes that the majority amendment is a valiant but fatally flawed effort to address the state's budget deficit. First, the deficit. The size of the deficit was never addressed by the committee directly, or through Ways and Means revenue estimates, and consequently is unknown. While the majority may believe that the state's projected deficit can still be dealt with at a later date, the minority is convinced that the sooner this problem is addressed and reduced, the less harsh will be the necessary measures. Don't we really need to know the size of the problem before we try to solve it? The majority failed to do that. Second, spending. The majority is due credit for its efforts to bring down the level of state spending. Many choices were very painful to all committee members because of their adverse affect on vulnerable populations. Unfortunately, the majority cut almost \$20 million of state aid to school districts, cities and towns, thus downshifting the state's budget problems to local property taxpayers. At the last minute, the majority reversed the previous committee agreement to increase state and local employee contributions to the state retirement system as a way to offset this additional property tax burden. The decision also increased the state's deficit gap by \$10 million. Overall, the effort to reduce expenditures fell short, not even reaching the level suggested by the governor, in large part because the majority declined to accept most of the approximately \$70 million in reductions proposed by the minority. Third, bonding operating expenses. The majority accepted the governor's proposals to borrow money to pay for operating expenses and "kick the can down the road." The majority increased bonding for the university system by \$25 million in exchange for a \$25 million "voluntary" cash payment to the general fund. The majority also refinanced \$40 million of the state's debt service due in FY 2011, so that the FY 2011 payment is lower but we add nine years of bond payments and \$6.7 million in interest to our general fund debt burden. Does New Hampshire really want to follow in the path that led New York City to bankruptcy in the 1970s and California and Greece to the brink of bankruptcy now? The majority cannot support this imprudent management of the state's finances. Fourth, taxes. Although the majority finally agreed with the minority to repeal the campground tax and the LLC tax, the majority raised existing tax rates and imposed new taxes, while also increasing fees. An increase in the tax on "other tobacco products" will cost New Hampshire consumers \$2.7 million over the biennium. An increase in the insurance tax from 1.5% to 2.0% will cost New Hampshire insureds \$16 million and reduce the number of new insurance industry jobs. A new tax on the generation of electricity, coupled with the repeal of the electricity consumption tax, may actually save New Hampshire electricity users money, but it will adversely impact a number of natural gas-power plants and the jobs and property taxes they provide. A new estate tax (at 8% on estates over \$2 million) will raise an estimated \$10 million of revenue for the state in FY 2011 and perhaps \$22 million per year in the future, but at a loss of part of the "New Hampshire Advantage" and perhaps jobs, as entrepreneurs find our state a less attractive place in which to start and expand their businesses. The minority cannot support raising these taxes on individuals and businesses in such a fragile economy. The minority amendment removes the taxes, fees and imprudent borrowing from the bill, leaving the remainder largely intact.

Majority Amendment (1953h)

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

AN ACT relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, relative to the due date for the Medicaid enhancement tax, and making certain general fund reductions and tax and revenue changes.

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

1 Administration of the New Hampshire Employment Program; Duties; Rulemaking.

Amend RSA 167:83, V to read as follows:

V. The commissioner ~~[shall]~~ **may** enter into an agreement or contract with the commissioner of the department of employment security to carry out the employment program and may delegate authority and duties for the employment program to the commissioner of the department of employment security and other state agencies. The commissioner shall adopt rules for the employment program ~~[in consultation with the commissioner of the department of employment security]~~.

2 Non-TANF Funded Program for 2-Parent Families With Dependent Children. Amend RSA 167:77-e to read as follows:

167:77-e Assistance Program for 2-Parent Families with Dependent Children. ~~[By October 1, 2008,]~~ The department ~~[shall]~~ **may** establish a non-TANF, state-funded financial assistance program for 2-parent needy families with dependent children in which one parent is underemployed or unemployed. With the exception of parental underemployment or unemployment, client eligibility and program requirements and administration shall be in accordance with this chapter and the rules adopted under this chapter. In order to meet the federal work participation rate and avoid federally-imposed penalties, the commissioner may add additional groups of families to this state-funded, financial assistance program as funding permits and also may transfer cases back to the TANF program, pursuant to rules adopted under RSA 541-A.

3 Authorizing the Department of Health and Human Services to File Claims for Medical and Financial Assistance Against Abandoned Property Held by the Treasury; Filing of Claim With Administrator. Amend RSA 471-C:26, I(c)(2) and (3) to read as follows:

(2) ***Except as provided in subparagraphs (5)-(7)***, in the case of a closed estate where the unclaimed property is valued at less than \$5,000 and does not include securities in share form, in accordance with the final distribution of assets as approved by the probate court.

(3) ***Except as provided in subparagraphs (5)-(7)***, in the absence of an open estate or probate court decree of final distribution, and the unclaimed property is valued at less than \$5,000 and does not include securities in share form, by the surviving spouse of the deceased owner, or, if there is no surviving spouse, then to the next of kin in accordance with the provisions of RSA 561:1.

4 New Subparagraphs; Filing of Claim With Administrator. Amend RSA 471-C:26, I(c) by inserting after subparagraph (4) the following new subparagraphs:

(5) Before distributing any unclaimed property pursuant to subparagraphs (2) and (3), the administrator shall first ensure that the department of health and human services does not have a claim for medical and or financial assistance paid on behalf of the deceased owner.

(6) In the event that the department of health and human services has a claim for medical and or financial assistance paid on behalf of the deceased owner, the department may submit a claim for such assistance using an affidavit developed by the administrator that ensures that:

(A) No individual has moved to probate the deceased owner's estate through which the department could assert its claim or probate administration for the deceased owner had been open and no individual has moved to reopen the estate through which the department could assert its claim;

(B) The department does not believe, based on the information available to it, there are known expenses for the deceased owner's necessary funeral and burial; and

(C) Based on all facts known to the department, its recovery of this abandoned property is not limited by the prohibitions to recovery as set forth in 42 U.S.C. section 1396p and RSA 167:16-a, IV.

(7) If the department of health and human services has made a claim against a deceased owner's unclaimed property as provided in subparagraph (6), under no circumstances shall the administrator distribute to the department more than the claimed amount.

5 Repeal. 2009, 144:211, relative to community mental health centers; administrative requirements suspended, is repealed.

6 Department of Health and Human Services; Transfer Among Accounts. Amend 2009, 144:39, III to read as follows:

III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2011, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all [PAUs] **accounting units** within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department[~~, with the exception of class 60 transfers~~]. ***This transfer authority shall not apply to funds for employee benefits appropriated in class 60 which were previously transferred to the employee benefit adjustment account as defined in RSA 9:17-c.***

7 Lead Paint Poisoning Prevention and Control; Rulemaking. Amend RSA 130-A:10, IV to read as follows:

IV. Fees to be collected for the issuance of licenses to lead inspectors, lead risk assessors, lead abatement contractors, for certification of lead abatement workers and lead clearance testing technicians, for testing resulting from investigations, for certifications of training programs, ***exam and training fees***, ~~and~~ for notifications under RSA 130-A, ***and other environmental fees***. Property owners who own more than 4 but fewer than 7 dwelling units shall pay a fee for licensure which is 1/2 of that paid by other lead abatement contractor licensees. Such reduced fee license shall only be valid for work on dwellings or dwelling units owned by such license holder.

8 Lead Poisoning Prevention Fund. Amend RSA 130-A:15 to read as follows:

130-A:15 Lead Poisoning Prevention Fund. There is hereby established the lead poisoning prevention fund to be used to carry out the provisions of this chapter. The fund shall be composed of fees, fines, gifts, grants, donations, bequests, or other moneys from any public or private source and shall be used to implement and encourage lead paint removal and education, ***and to support program staff and administrative costs***. The fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of this chapter.

9 New Paragraph; Department of Health and Human Services; Duties of the Department. Amend RSA 161:2 by inserting after paragraph XVII the following new paragraph:

XVIII. Refugee Resettlement. Administer the New Hampshire refugee resettlement program as funded by and in cooperation with the United States Department of Health and Human Services under the Refugee Act of 1980.

10 New Section; Special Fund; Civil Fines. Amend RSA 151 by inserting after section 16-a the following new section:

151:16-b Civil Fines. All administrative fines and other civil monetary penalties collected by the department from facilities licensed under this chapter shall be kept by the state treasurer in a separate, non-lapsing, interest bearing account. Interest earned on

moneys deposited in the account shall be deposited into the account. The moneys in the account shall be used by the department for the protection of the health and property of residents of facilities licensed under this chapter.

11 New Subparagraph; Special Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (299) the following new subparagraph:

(300) Civil fines collected under RSA 151:16-b, which shall be deposited as provided in such section.

12 Medicaid Enhancement Tax; Due Date. Amend RSA 84-A:3, II-a to read as follows:

II-a. For the taxable period beginning July 1, 1993, and for every taxable period thereafter, each hospital shall pay 100 percent of its medicaid enhancement tax due and payable for the taxable period no later than the fifteenth day of the ~~third~~ **fourth** month of the taxable period. Notwithstanding any provision of this chapter or any other law, no penalty or interest shall be imposed for failure to make payment of tax when due if such payment is made on or before the last day of the month in which such payment is due.

13 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, I(a)(3) to read as follows:

(3) Required to furnish proof of successful completion of an impaired driver intervention program prior to the restoration of the person's driver's license or privilege to drive, provided that, if the person has previously completed, or been required by a court or the department of safety to complete, an impaired driver intervention program (I.D.I.P.) or any similar program in any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple DWI offender intervention ~~[detention-center]~~ program (M.O.P.) or an equivalent 7-day residential intervention program approved by the commissioner of health and human services;

14 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, I(b)(3) to read as follows:

(3) Sentenced to a mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive days shall be served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** established under RSA 265-A:40, which sentence shall begin no later than ~~[21]~~ **45** days after conviction. In the event that the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** has no available space, the person shall be assigned to an equivalent 7-day residential intervention program approved by the commissioner of health and human services. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after the person has completed serving the required 7 consecutive days or such other time as the court may order;

15 Penalties for Intoxication or Under the 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 than 21 consecutive days of which 14 consecutive 24-hour periods shall be served in the county correctional facility followed by 7 consecutive days served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** established under RSA 265-A:40, which sentence shall begin no later than 21 days after conviction. In the event that the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** has no available space the person shall be assigned to an equivalent 7-day residential intervention program approved by the commissioner of health and human services, and the remainder of the sentence may be deferred at the court's discretion. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after the person has completed serving the required 7 consecutive days or such other time as the court may order. The court may, at the satisfactory completion of any

ordered treatment, suspend any remaining deferred sentence. Failure to successfully complete any court-ordered intervention program or recommended treatment shall result in the imposition of any remaining deferred sentence; and

16 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, IV(a)(3)-(5) to read as follows:

(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 than 37 consecutive days of which 30 consecutive 24-hour periods shall be served in the county correctional facility followed by 7 consecutive days to be served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** established under RSA 265-A:40 within 21 days after conviction, except that in circumstances where the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** has no available space the person shall be assigned to an equivalent 7-day residential intervention program approved by the commissioner of health and human services. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after the person has completed serving the required 30 consecutive 24-hour periods or such other time as the court may order.

(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 than 10 consecutive days of which 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive days shall be served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** established under RSA 265-A:40, which sentence shall begin no later than 21 days after conviction. In the event that the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** has no available space the person shall be assigned to an equivalent 7-day residential intervention program approved by the commissioner of health and human services. The person shall begin following any treatment recommendations arising out of the final evaluation given to the person at the multiple DWI offender intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after the person has completed serving the required 7 consecutive days or such other time as the court may order.

(4) The person's driver's license or privilege to drive shall be revoked for not less than 3 years.

(5) The person shall pay a fee ~~[to the commissioner]~~, as established under RSA 126-A:43, for the costs of the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ program prior to license restoration. If the person attends an approved equivalent 7-day residential intervention program, the fees and costs shall be paid to the program.

17 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, VI to read as follows:

VI. If any person is convicted of a violation of RSA 265-A:2, I or RSA 265-A:3, and the conviction is not based upon a complaint which alleges prior convictions as provided in paragraph IV, but the person is found to have had one or more such prior convictions in this state or in an out-of-state jurisdiction within 10 years preceding the date of the offense, the person's driver's license or privilege to drive shall be revoked for not less than one year nor more than 3 years. Except for good cause found by the court and noted in writing, the court may suspend up to 6 months of this sentence, provided that within 45 days after conviction the person has entered the 7-day program at the ~~[state-operated]~~ multiple DWI offender intervention ~~[detention-center]~~ program or an equivalent 7-day residential intervention program approved by the commissioner of health and human services, as provided in RSA 265-A:40 and RSA 265-A:42. The person's license shall not be restored until the person has

successfully completed the program. The court may further order attendance at a residential treatment center, for a period not to exceed 30 days, at the person's own expense.

18 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18, XI to read as follows:

XI. Any person convicted of a violation of RSA 265-A:2, RSA 265-A:3, or RSA 265-A:19, II, and who at the time of driving or attempting to drive a vehicle or off highway recreational vehicle or operating or attempting to operate a boat was transporting a person under the age of 16, shall have the driver's license or privilege to drive revoked for the maximum time period under the section violated and the person's license or privilege to drive shall not be restored until the offender has successfully completed a 7-day program at the ~~[state-operated]~~ multiple DWI offender program or an equivalent 7-day residential intervention program approved by the commissioner at the person's own expense.

19 Penalties for Boating While Intoxicated. Amend RSA 265-A:19, II to read as follows:

II. Any person convicted of a violation of RSA 265-A:2, II who at the time of the violation was transporting a person under the age of 16 shall not operate a boat on the waters of this state until the offender has successfully completed a 7-day program at the ~~[state-operated]~~ multiple DWI offender program or an equivalent 7-day residential intervention program approved by the department of health and human services at the person's own expense. Any person operating a boat in violation of this paragraph is guilty of a misdemeanor.

20 Impaired Driver Intervention Programs. Amend RSA 265-A:39, I to read as follows:

I. Except as provided in paragraph IV, the commissioner of the department of health and human services shall be responsible for biennially approving the impaired driver intervention programs and 7-day residential intervention programs equivalent to the multiple DWI offender intervention ~~[detention-center]~~ program (M.O.P.) which persons convicted under RSA 265-A:2 or RSA 265-A:3 shall attend in order to regain their driver's licenses or driving privileges; but the commissioner of the department of health and human services shall not approve any impaired driver intervention program unless such program is conducted without cost to the state. Notwithstanding RSA 6:12, any fees collected under subparagraph IV(g) of this section shall be placed in a nonlapsing revolving account and shall be used by the commissioner for the purposes of this subdivision only.

21 Multiple DWI Offender Intervention Program. RSA 265-A:40 is repealed and reenacted to read as follows:

265-A:40 Multiple DWI Offender Intervention Program.

I. The commissioner of the department of health and human services shall be responsible for the establishment and administration of the 7-day multiple DWI offender intervention program which persons convicted under RSA 265-A:2 or RSA 265-A:3 or sentenced pursuant to RSA 651:2, V(h) may be required to attend. The commissioner shall have the authority to directly operate the program, to approve community-based providers to operate the program in accordance with rules adopted pursuant to RSA 541-A, or to contract with public or private entities to operate the program.

II. Any person who attends the 7-day multiple DWI offender intervention program shall be required to pay the fees for the program.

III. The 7-day multiple DWI offender intervention program shall furnish to the courts a report indicating when a person has completed attendance at the program, and shall furnish to the division of motor vehicles, department of safety, a report indicating when a person who attends the program pursuant to RSA 265-A:18 has successfully completed the program and treatment or involvement in a substance abuse program when appropriate and warranted.

IV. The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, relative to the operation of the 7-day multiple DWI offender intervention program with respect to:

(a) Program curriculum and content.

(b) Any other matter related to the proper administration of this section.

22 Impaired Driver Intervention Programs; Utilization of Funds. Amend RSA 265-A:41 to read as follows:

265-A:41 Utilization of Funds. All funds derived from the fees collected by the commissioner of the department of health and human services under RSA 265-A:18 shall be paid over to the state treasurer within 10 days of the subsequent month, or at an earlier date, for deposit into a separate account in the treasury known as the 7-day multiple DWI offender intervention ~~[detention center]~~ program account. These funds are appropriated as indicated in the operating budget as a source of funds for the 7-day multiple DWI offender intervention ~~[detention center]~~ program. Any funds remaining in the account over the appropriation indicated in the operating budget shall lapse into the general fund at the end of each fiscal year.

23 Impaired Driver Intervention Programs; Attendance Required. Amend RSA 265-A:42, IV(b) to read as follows:

(b) In the case of enrollment in the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention center]~~ **program**, a person shall provide such certified copy at the time of enrollment or prior to the issuance of a report under RSA 265-A:40, III and RSA 265-A:18, VIII.

24 Sentences and Limitations. Amend RSA 651:2, V(h) to read as follows:

(h) In cases of a person convicted of a felony or class A misdemeanor, a court may sentence such person to 7 consecutive 24-hour periods to be served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention center]~~ program established under RSA 265-A:40, if the evidence demonstrates that alcohol was a contributing factor in the commission of the offense and provided that space is available in the program and such person pays the fees for the program in full prior to admission.

25 Report Required. The commission to examine driving while impaired education and intervention programs shall, pursuant to the authority under 2008, 256:10, as extended by 2009, 202:5, study the penalties for intoxication or under the influence of drugs offenses, including but not limited to the multiple DWI offender intervention program. Based upon available research and data, the commission shall review and evaluate the merits of the penalties and the program in order to develop recommendations on these issues. On or before November 1, 2010, the commission shall report its findings to the governor's commission on alcohol and drug abuse prevention, intervention, and treatment, the speaker of the house of representatives, the president of the senate, the commissioner of the department of health and human services, the house clerk, the senate clerk, the state library, and the governor and shall make recommendations, if appropriate, for future legislation to address these issues.

26 State Treasurer; Application of Receipts. Amend RSA 6:12, I (b)(147) to read as follows:

(147) Moneys deposited in the 7-day multiple DWI offender intervention ~~[detention center]~~ program account under RSA 265-A:41.

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

(a) Review and investigate all records of the New Hampshire hospital, Laconia developmental services, the secure psychiatric unit, the Glencliff home, the Anna Philbrook center, and the multiple DWI offender intervention ~~[detention center]~~ program (M.O.P.), relative to expenses incurred by patients, residents, or clients at such institutions, facilities, or programs or expenses incurred by patients, residents, or clients receiving care, treatment, services, or maintenance at the direction of the commissioner of health and human services, and make recommendations to the commissioner and to the respective superintendents or directors of such institutions, facilities, or programs as to the rates to be charged for the care, treatment, and maintenance of such patients, residents, or clients.

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

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

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

29 Operating Budget; Lapse; Legislative Branch. Notwithstanding 2009, 143:1, the legislative branch shall lapse an additional \$312,000 for the fiscal year ending June 30, 2010 and lapse an additional \$669,000 for the fiscal year ending June 30, 2011. The reductions required by this section shall be in addition to the lapse required pursuant to 2009, 143:10 and in addition to the lapse required pursuant to 2010, 4:1.

30 Operating Budget; General Fund Appropriation Reductions; Department of Information Technology. Notwithstanding 2009, 143:1, the department of information technology, in consultation with the department of administrative services, shall reduce class lines of the department by an amount that will result in additional reductions of general funded agencies' appropriations for class 27 totaling \$2,175,000 for the fiscal year ending June 30, 2011. The reductions required under this section shall be in addition to any reductions required pursuant to 2009, 143:12 and by Executive Order No. 2010-02. The commissioner of the department of information technology shall submit to the fiscal committee of the general court and the commissioner of the department of administrative services an itemization of the reductions in expenditure classes made to implement this section on or before July 31, 2010.

31 Operating Budget; General Fund Appropriation Reduction; Department of State. Notwithstanding 2009, 143:1, the state general fund appropriations for the department of state shall be reduced by an additional \$149,000 for the fiscal year ending June 30, 2011. The reduction required by this section shall be in addition to any reductions required pursuant to Executive Order No. 2010-02. The secretary of state shall submit to the fiscal committee of the general court an itemization of the reductions in expenditure classes made to implement this section on or before February 15, 2011.

32 Operating Budget; General Fund Appropriation Reduction; Board of Tax and Land Appeals. Notwithstanding 2009, 143:1, the state general fund appropriations for the board of tax and land appeals shall be reduced by an additional \$41,454 for the fiscal year ending June 30, 2011. The reduction required by this section shall be in addition to any reductions required pursuant to Executive Order No. 2010-02. The chairman of the board of land and tax appeals shall submit to the fiscal committee of the general court an itemization of the reductions in expenditure classes made to implement this section on or before February 15, 2011.

33 New Paragraph; Animal Population Control Program; Management of Fund. Amend RSA 437-A:4-a by inserting after paragraph II the following new paragraph:

III. The commissioner shall put out to bid the duties related to managing the application for and distribution of moneys from the fund for the reimbursement of spay and neuter surgeries. The contract for the duties shall not exceed \$20,000. The commissioner may assess an administrative charge for the oversight of the program to the fund not to exceed \$5,000 annually.

34 Animal Population Control Program; Rulemaking. Amend RSA 437-A:5, II-a to read as follows:

II-a. ~~[Administration]~~ **Oversight** of the fund established under RSA 437-A:4-a.

35 Animal Population Control Program; Assistant Position. The animal population control program assistant position shall be abolished and, if the position is filled the department shall transfer the individual to a vacant position of similar responsibility, or the individual shall be laid off.

36 Operating Budget; General Fund Appropriation Reduction; Department of Environmental Services. Notwithstanding 2009, 143:1, the state general fund appropriations for the department of environmental services shall be reduced by an additional \$432,335 for the fiscal year ending June 30, 2011. The reduction required by this section shall be in addition to any reductions required pursuant to Executive Order No. 2010-02 and any other section contained in this act. Such reduction shall be attributable to a combination of vacant positions, supplanting general fund appropriations with federal funds and other funds that might be available for that purpose, and reductions in specific class line item appropriations provided that such reductions do not cause a reduction of services, a reduction of grants or aid to local communities, or an increase in fees. The commissioner of environmental services shall submit to the fiscal committee of the general court an itemization of the reductions in expenditure classes made to implement this section on or before February 15, 2011.

37 Health and Human Services; Contract Consolidation. For the fiscal year ending June 30, 2011, the department of health and human services shall reduce state general fund appropriations by \$1,500,000 by consolidating social services and medical contracts in order to reduce administrative costs. The department shall not reduce program services in order to meet the reductions required under this section.

38 Health and Human Services; TANF Family Supports. For the fiscal year ending June 30, 2011, the department of health and human services shall reduce state general fund appropriations by \$1,500,000 by eliminating contracts for Temporary Assistance to Needy Families (TANF) family supports and providing such services utilizing existing department staff.

39 Youth Development Center; Appropriation Reduction. Notwithstanding any provision of law to the contrary, the department of health and human services shall decrease state general fund appropriations for the youth development center under accounting unit 05-95-41-412010 by \$1,561,514 for the fiscal year ending June 30, 2011. In order to meet this reduction, the department shall eliminate 30 positions at the youth development center which are no longer necessary due to the declining census at such center.

40 Department of Health and Human Services; North Country Transportation. For the biennium ending June 30, 2011, the department of health and human services shall not reduce funding provided to North Country Transportation used toward meeting the state matching funds requirement for the Job Access and Reverse Commute (JARC) grant award from the United States Department of Transportation.

41 Department of Health and Human Services; Suspension of Catastrophic Illness Program. Notwithstanding any provision of law or rule to the contrary, for the fiscal year ending June 30, 2011, the catastrophic illness program under RSA 137-G is suspended.

42 Department of Health and Human Services; Suspension of Senior Volunteer Grant Program. Notwithstanding any provision of law or rule to the contrary, for the fiscal year ending June 30, 2011, the senior volunteer grant program under RSA 161-F:40 is suspended.

43 Prevention Programs. Amend RSA 170-G:4, XVI to read as follows:

XVI. Encourage cities, towns, and counties to develop and maintain prevention programs, court diversion programs, and alternative dispositions for juveniles other than placements outside of the home through the use of a formula which shall allow for the transfer of funds to cities, towns, and counties which have, or are developing, prevention programs or alternatives for juvenile care. The amount to be distributed for this program

shall be not less than ~~[4.5]~~ **3** percent of the annual amount appropriated to the department of health and human services for placement costs. The method of distribution shall be based upon rules adopted under RSA 541-A by the commissioner. For purposes of this paragraph, prevention programs shall include programs or activities for the prevention of child abuse and neglect. ***Before January 1, 2011, and biennially thereafter, the department shall provide to the chairmen of the house and senate health and human services committees, and the chairmen of the house and senate finance committees a report assessing the effectiveness of the programs funded though this paragraph.***

44 Department of Health and Human Services; Suspension of Residential Rate Setting Rule. Amend 2009, 144:32 to read as follows:

144:32 Department of Health and Human Services; Suspension of Residential Rate Setting Rule. Notwithstanding any provision of the law or rule to the contrary, for the biennium ending June 30, 2011, He-C 6422 relative to the residential child care facilities rate setting is suspended. The base rate for residential providers for the ~~[biennium]~~ **state fiscal year** ending June 30, ~~[2011]~~ **2010** shall be the rate in effect on June 30, 2009. ***For the state fiscal year ending June 30, 2011, the rate paid to residential providers subject to the rate setting rule as of June 30, 2009 shall be reduced by 2 percent. The base rate for the calculation of the 2 percent rate reduction shall be the rate in effect on June 30, 2009. Notwithstanding any provision of law or rule to the contrary, for state fiscal year 2011, the rate established pursuant to RSA 170-G:4, XVII for all other services and programs which are paid for by the department pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 shall be reduced by 2 percent. The base rate for the calculation of the 2 percent rate reduction shall be the rate in effect on July 1, 2009.***

45 Department of Health and Human Services; Direct Graduate Medical Education; Suspension. Amend 2009, 144:24 to read as follows:

144:24 Department of Health and Human Services; 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 contemplated at 42 U.S.C. section 1396a(a)(30)(A) to be effective July 1, 2009. 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 are suspended until ~~[June 30, 2011]~~ **July 1, 2011.**

46 Department of Health and Human Services; Indirect Graduate Medical Education Suspension. 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 April 1, 2010. 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 until July 1, 2011.

47 Department of Health and Human Services; Suspension of Catastrophic Aid Payment. Notwithstanding 2009, 144:160, 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 June 15, 2010 and continuing through June 30, 2011.

48 Department of Health and Human Services; Public Assistance; Definitions. Amend RSA 167:6, VI to read as follows:

VI. For the purposes hereof, a person shall be eligible for aid to the permanently and totally disabled who is between the ages of 18 and 64 years of age inclusive; is a resident of the state; and is disabled as defined in the federal Social Security Act, Titles II and XVI and the regulations adopted under such act, except that the minimum required duration of the impairment shall be 48 months, unless and until the department adopts a 12-month standard in accordance with RSA 167:3-j. In determining disability, the standards for

“substantial gainful activity” as used in the Social Security Act shall apply, including all work incentive provisions including Impairment Related Work Expenses, Plans to Achieve Self Support, and subsidies. No person shall be eligible to receive such aid while receiving old age assistance, aid to the needy blind, or aid to families with dependent children. ***Notwithstanding any provision of law to the contrary, eligibility for cash assistance shall be conditioned upon the recipient filing an application for any federal disability benefits for which the individual may be entitled and pursuing any appeals available for those federal benefits. Cash assistance shall terminate upon a finding by a federal administrative law judge that the individual is medically ineligible for the federal benefits. The department may terminate cash assistance for failure to comply with the requirements of this paragraph, subject to the recipient’s right to an administrative appeal.***

49 New Subdivision; Optional Local Meals and Rooms Tax. Amend RSA 78-A by inserting after section 26 the following new subdivision:

Optional Local Meals and Rooms Tax

78-A:27 Local Meals and Rooms Tax.

I. A municipality may, in accordance with the procedures under RSA 78-A:28, adopt an addition to the meals and rooms tax rate imposed under RSA 78-A:6, to be known as the local meals and rooms tax, at a rate to be established by the municipality.

II. The commissioner shall assess, collect, administer, and enforce the local meals and rooms tax in accordance with the applicable provisions of this chapter relative to the state meals and rooms tax; except that the revenue collected from the local meals and rooms tax shall, after deduction of administrative expenses, be remitted to the treasurer of the municipality imposing the local tax.

78-A:28 Procedure for Adoption and Modification of Local Meals and Rooms Tax.

I. Any town or city may adopt the provisions of RSA 78-A:27 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the local meals and rooms tax, the amount of such tax, and the manner of its determination, as listed in RSA 78-A:27. If a majority of those voting on the question vote “yes,” the tax shall take effect within the town or city, on the date set by the governing body following its adoption.

III. A municipality may modify or rescind the tax provided in RSA 78-A:27 in the manner described in this section.

50 Rooms and Meals Tax; Distribution to Cities and Towns. Notwithstanding any provision of law, for the fiscal year ending June 30, 2011, the state treasurer shall reduce the total revenue distributed to cities and towns authorized by 2009, 143:1 and 2009, 144:8 by the sum of \$6,091,930. The remaining funds shall be distributed 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.

51 Meals and Rooms Tax; Definition of Hotel; Campsites. Amend the introductory paragraph of RSA 78-A:3, III to read as follows:

III. “Hotel” means an establishment which holds itself out to the public by offering sleeping accommodations for rent, whether or not the major portion of its operating receipts is derived from sleeping accommodations. The term includes, but is not limited to, inns, motels, tourist homes and cabins, ski dormitories, ski lodges, lodging homes, rooming houses,

furnished room houses, boarding houses, private clubs, hostels, cottages, camps, ~~[campuses,]~~ chalets, barracks, dormitories, and apartments. The term does not include the following:

52 Authorization for Debt Restructuring. The state treasurer is hereby authorized to refinance all or a portion of the state's fiscal year 2011 debt service obligations by the issuance at one time or from time to time of up to \$55,000,000 aggregate principal amount of general obligation refunding bonds, which shall mature in such amounts and at such time as the state treasurer, with the approval of the governor and council, shall determine; provided that the final maturity of such bonds shall not be later than June 30, 2021. The issue of such bonds shall be subject to the same requirements and provisions of law as would then be applicable to the issue of the bonds being refunded, except as provided in this section. Such refinancing is intended to result in a general fund reduction of the required debt service for the biennium ending June 30, 2011 of approximately \$40,000,000. The amount of general fund debt service so refinanced shall lapse to the general fund on or before June 30, 2011.

53 Capital Appropriation; University System of New Hampshire. Amend 2005, 259:2, I to read as follows:

I. The Knowledge Economy Education Plan (KEEP NH) documents the need for investment in university system of New Hampshire projects primarily to renovate and expand science, engineering, and technology facilities. The sum of \$109,500,00 is hereby committed and appropriated to the university system of New Hampshire (USNH) for the KEEP NH plan, effective July 1, 2005 but limited to the drawdown of funds as stated in this section. The appropriation is for the following capital projects:

- A. DeMeritt Hall renovation and expansion (UNH);
- B. James Hall renovation and expansion (UNH);
- C. Parsons Hall renovation (UNH);
- D. Planning for renovation of Nesmith Hall (UNH), renovation and expansion of Physical Education Center (PSU), and conversion of former Zorn dining commons to academic building (KSC);
- E. Infrastructure work on the Keene State College and Plymouth State University campuses;
- F. NHPTV equipment (UNH); and
- G. University Centers that would co-locate USNH and Community-Technical College System programs.

I-a. The further sum of \$25,000,000 is hereby committed and appropriated to USNH, subject to the limitation on the drawdown of funds as stated in this section, for such other deferred maintenance, repair, renovation, and capital projects as may be approved by the university system board of trustees provided, however, that such projects shall not involve any of the buildings renovated or expanded with funding appropriated for the KEEP NH plan, 2001, 202:2, and paragraph I of this section, namely, at UNH: Murkland Hall, Kingsbury Hall DeMeritt Hall, James Hall, and Parsons Hall; at PSU: Boyd Hall; and at KSC: Mason Library and Science Building.

54 Capital Appropriation; University System of New Hampshire; KEEP NH. Amend 2005, 259:2, II, to read as follows:

II. The university system board of trustees will determine the timing of the projects and the specific dollar allocation to each from the above sum available, while ensuring the respective campus priorities are addressed. The board of trustees shall report on the progress of the projects in ~~[paragraph]~~ **paragraphs I and I-a** to the capital budget overview committee on a quarterly basis. The appropriation shall be nonlapsing and in addition to any other appropriation to the university system; provided, however, that the university system shall not receive actual cumulative payments from the state for such purposes of more than:

- A. \$4,500,000 through the biennium ending June 30, 2007.

B. \$39,500,000 through the biennium ending June 30, 2009 (\$35,000,000 in new authorization for the biennium).

C. [~~\$74,500,000~~] **\$99,500,000** through the biennium ending June 30, 2011 (~~[\$35,000,000]~~ **\$60,000,000** in new authorization for the biennium).

D. [~~\$109,500,000~~] **\$134,500,000** through the biennium ending June 30, 2013 (\$35,000,000 in new authorization for the biennium).

55 Capital Budget; Bonds Authorized; University System of New Hampshire; KEEP. Amend 2005, 259:8, II to read as follows:

II. To provide funds for the appropriation made in section 2, paragraphs I, ***I-a***, and II, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [~~\$109,500,000~~] **\$134,500,000** and for said purposes may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A; provided the cumulative bonds or notes shall not be issued in excess of:

- (1) \$4,500,000 through the biennium ending June 30, 2007.
- (2) \$39,500,000 through the biennium ending June 30, 2009.
- (3) [~~\$74,500,000~~] **\$99,500,000** through the biennium ending June 30, 2011.
- (4) [~~\$109,500,000~~] **\$134,500,000** through the biennium ending June 30,

2013.

56 Tobacco Tax; Tax on 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 [~~48.59~~] **65.03** 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.

57 Applicability; Tax on Tobacco Products Other than Cigarettes. Section 56 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this section. The tax rate effective on the effective date of this section shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate of tax shall be due within 90 days of the effective date of this section. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

58 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other law to the contrary, for the fiscal year ending June 30, 2010, the department of administrative services shall transfer funds from the following accounts or funds maintained separately on the books of the state to the general fund in the following amounts:

Account/Fund	Amount Transferred to General Fund
Statewide Public Boat Access Fund, RSA 233-A:13	\$500,000
Nitrogen Oxide Emissions Reduction Fund, RSA 125-J:13, II	\$90,000
Laboratory Equipment Fund, RSA 131:3-a, II	\$100,000
New Hampshire Hazardous Waste Cleanup Fund, RSA 147-B:3	\$100,000
Default Bench Warrant Fund, RSA 263:56-d	\$100,000
Fire Standards and Training and Emergency Medical Services Fund, RSA 21-P:12-d	\$1,500,000
Recount Administrative and Fee Account, RSA 660:31	\$110,000
Reflectorized Plates Inventory Fund, RSA 228:25	\$250,000

Education Credentialing Fund, RSA 186:11, X	\$250,000
Sludge Analysis Fund, RSA 485-A:4, XIV-c	\$25,000
Wastewater Plant Operator Certification Fund, RSA 485-A:7-a	\$75,000

59 Operating Budget; Lapse of Appropriation. New Hampshire Retirement System; Retirement Pension Benefit; Health Insurance. Amend 2009, 143:1, 01, 59, 59, 590510, 1052, class 064, footnote F to read as follows:

~~[*064 F. This appropriation shall not lapse until June 30, 2011]~~

60 Operating Budget. Lapse of Appropriation. Judicial Council; Contracts for Program Services. Amend 2009, 143:1, 02, 07, 070010, 1094, class 102, footnote F to read as follows:

~~[*102 F. This appropriation shall not lapse until June 30, 2011]~~

61 Department of Treasury. Lapse of Appropriation for Debt Service. Amend 2009, 143:1, 01, 38, 38, 380010, 2076, class 043, footnote F and class 044, footnote F to read as follows:

~~[Class Notes, 043 F. This appropriation shall not lapse until on June 30, 2011.]~~

~~[Class Notes, 044 F. This appropriation shall not lapse until on June 30, 2011.]~~

62 Taxation of Interest and Dividends; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

(b) ***Partnerships, limited liability companies, associations, and*** trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds \$2,400 during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

63 Taxation of Interest and Dividends; What Taxable. RSA 77:4, III is repealed and reenacted to read as follows:

III. Dividends, other than stock dividends paid in new stock of the partnership, limited liability company, association, or trust issuing the same, on shares in partnerships, limited liability companies, associations, or trusts the beneficial interest in which is represented by transferable shares.

64 New Sections; Taxation of Interests and Dividends; Partnerships and Limited Liability Companies. Amend RSA 77 by inserting after section 14 the following new sections:

77:14-a Partnerships and Limited Liability Companies. Partnerships and limited liability companies having a usual place of business in this state, any member of which is an inhabitant thereof, shall be subject to taxes imposed by this chapter. If any of the members of the partnership or limited liability company are not inhabitants of this state only so much of the income thereof as is proportionate to the aggregate interest of the partners or members who are inhabitants of this state in the profits of the partnership or limited liability company shall be taxed.

77:14-b Partners and Members. The tax shall be assessed on such a partnership or limited liability company by the name under which it does business, and the partners or members shall not be taxed with respect to the taxable income derived by them from such a partnership or limited liability company.

77:14-c Members of Partnership or Limited Liability Company Outside the State. An inhabitant of this state who is a member of a partnership or limited liability company having no usual place of business in this state, who receives income from such partnership or limited liability company derived from such a source that it would be taxable if received directly from such source by such partner or member, shall as to such income be subject to the taxes imposed by this chapter.

77:14-d Application of Sections. RSA 77:14-a to 14-d shall apply, so far as apt, to associations and trusts, but not to partnerships, limited liability companies, associations, and trusts the beneficial interest in which is represented by transferable shares.

65 Repeal. RSA 77:1-a, relative to definitions, is repealed.

66 Applicability. Sections 62-65 of this act shall apply to taxable periods ending on or after December 31, 2010.

67 New Chapter; Commission to Study Business Taxes Established. Amend RSA by inserting after chapter 77-E the following new chapter:

CHAPTER 77-F

COMMISSION TO STUDY BUSINESS TAXES

77-F:1 Commission to Study Business Taxes Established.

- I. There is a commission established to study business taxes.
- II. The members of the commission shall be as follows:
 - (a) Three members of the senate, appointed by the president of the senate.
 - (b) Four members of the house of representatives, appointed by the speaker of the house of representatives.
 - (c) Five members of the public appointed by the governor, representing the following groups and interests:
 - (1) Tax experts and accountants;
 - (2) Small business;
 - (3) Real estate, finance, and investment; and
 - (4) Business trade associations.
- II. The commission shall study and evaluate:
 - (a) The present system of business taxation in New Hampshire, including but not limited to the rates and allocation among taxpayers of the business enterprise tax, the business profits tax, and the interest and dividends tax.
 - (b) Whether there are changes to the present system of business taxes and rates of assessment that should be considered by the legislature in order to:
 - (1) Ensure fairness and equity in the allocation of business taxes including among similarly situated business entities and taxpayers;
 - (2) Ensure clear tax laws and synchronization with federal tax laws; and
 - (3) Continue to provide a business tax environment that enhances the growth of jobs, income in the state, and the transition to clean and renewable energy.
 - (c) Safe harbors for the reasonable compensation deduction under the business profits tax, including but not limited to:
 - (1) Safe harbors based on the percentage of the gross selling price on the sale of business assets other than inventory;
 - (2) The percentage of gross revenues and the percentage of gross business profits using the independent investor return test;
 - (3) The federal self-employment tax; and
 - (4) Any other issue related to the reasonable compensation deduction.
 - (d) Business tax credits and deductions including, but not limited to, net operating losses.
 - (e) Offering tax credits to insurance companies that create new net jobs in New Hampshire.
- III. The commission may solicit and receive testimony and other information from any person or organization with information or expertise relevant to the committee's objective. State agencies shall cooperate with the commission, and provide data, information, reports, and testimony to the commission upon request.
- IV. The governor shall appoint a chair from among the members. The first meeting of the commission shall be called by the chair and shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.
- V. Legislative members of the commission shall receive mileage at the legislative rate when attending meetings of the commission.
- VI. The commission shall, following a public hearing on a draft final report, submit a final report on the items included in subparagraphs II(a) and (b) or before December 1, 2010, containing its findings and any recommendations for proposed legislation, to the governor,

the president of the senate, the speaker of the house of representatives, the chairs of the house and senate ways and means committees, the house and senate clerks, and the state librarian.

VII. The commission shall, following a public hearing on a draft final report, submit a final report on the items included in subparagraphs II(c) and (d) or before November 1, 2012, containing its findings and any recommendations for proposed legislation, to the governor, the president of the senate, the speaker of the house of representatives, the chairs of the house and senate ways and means committees, the house and senate clerks, and the state librarian.

68 Repeal. RSA 77-F, relative to a commission to study business taxes, is repealed.

69 New Hampshire Retirement System; Employer Contributions; State Payment.

Amend RSA 100-A:16, II(b)-(c) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that any employer, other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay ~~[75]~~ **80** percent of such total contributions, and ~~[25]~~ **20** percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided that, in the case of compensation attributable to extra or special duty, the employer shall pay the full amount of such total contributions; and provided further that, in case of group II members employed by the state, the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraphs (h) and (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that, in the case of teachers, any employer, other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay ~~[75]~~ **80** percent of such total contributions, and ~~[25]~~ **20** percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided further that in case of teacher members employed by the state the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

70 Department of Agriculture; Licenses; Transfers of Animals and Birds. Amend RSA 437:3 to read as follows:

437:3 Licenses. Applications for licenses shall be made annually in writing to the department accompanied by a license fee of ~~[\$200]~~ **\$350**. After January 1, the license fee shall be ~~[\$100]~~ **\$175**. If after inspection the department finds that the premises, cages and facilities thereon meet the proper standards for health and sanitation and that their use will not result in inhumane treatment of said animals or birds, and proof is provided with the

application that the zoning enforcement official of the municipality wherein such facility is to be maintained has certified that the facility conforms to the municipal zoning regulations, a license shall be issued. Licenses shall expire on June 30 following issue, and may be renewed on application to the department accompanied by a renewal fee of [~~\$200~~] **\$350**. Such licenses shall be in the form prescribed by the department, shall be publicly displayed at the premises covered by them and adjacent to animal display cages. Each such license shall be subject to revocation at any time by the department, if in the judgment of the department the conditions under which it was issued are not being maintained. Each licensee shall be inspected by an employee of the department or by a person appointed by the department no less frequently than every 6 months. Upon receipt of a written complaint alleging violation of this subdivision, the department shall investigate said complaint within a reasonable time. All license fees shall be deposited in the state treasury.

71 Lottery Commission; Report Required. The lottery commission shall submit to the governor, the president of the senate, and the speaker of the house of representatives, no later than November 15, 2010, a comprehensive report describing how it proposes to modernize and update its products within the next 5 years in order to maximize revenues in a competitive lottery environment.

72 Operating Budget; Transfer of Appropriations; Adequate Education Grants; Funds From Education Trust Fund Transferred to General Fund.

I. The commissioner of the department of administrative services is authorized to transfer up to \$80,000,000 from the appropriation in account 06-56-56-560010-7550 class line 086 for fiscal year 2011 into account 06-56-56-560010-7550, class line 086 for fiscal year 2010 on or before June 30, 2010. Account 06-56-56-560010-7550, class line 079 for fiscal year 2010 shall be reduced by the same amount that is transferred into account 06-56-56-560010-7550, class line 086 for fiscal year 2010, and account 06-56-56-560010-7550, class line 079 for fiscal year 2011 shall be increased by the corresponding amount.

II. Notwithstanding RSA 198:39, any funds remaining in the education trust fund as of June 30, 2010 shall be transferred to the general fund as undesignated surplus.

73 Application; Appropriations Reductions; All State Agencies. The reductions required by this act shall be in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

74 Special School District Meetings. Notwithstanding RSA 197:2 and RSA 197:3, for the fiscal year ending June 30, 2011, a special meeting of a school district shall be held upon the majority vote of the school board only for the purpose of addressing changes in catastrophic aid funding which could affect the school district during the 2011 year.

75 Repeal. Section 74 of this act, relative to special school district meetings, is repealed.

76 Special Meeting of Towns for the Fiscal Year Ending June 30, 2011. Notwithstanding any other provision of law to the contrary, for the fiscal year ending June 30, 2011, any town, including those towns that have adopted RSA 40:13 may, by a majority vote of the governing body, call a special meeting without court approval to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget. Such meetings shall be subject to the following:

I. The governing body of such town shall post a notice, which shall include the warrant, in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the meeting. Additional notice shall be published in a newspaper of general circulation in the political subdivision, provided that if there is no newspaper of general circulation in which notice can be published at least 7 days before the date of the meeting, public notice shall be posted in at least one additional place within the political subdivision.

II. The governing body shall hold a public hearing on the proposed warrant articles at the town meeting.

III. The governing body of any town that has adopted the provisions of RSA 40:13 may elect to hold and conduct the meeting in accordance with the provisions of RSA 39 and

RSA 40 and other applicable law without regard to RSA 40:13. If the governing body elects to follow the provisions of RSA 40:13, it shall provide at least a 15-day period between the deliberative session and the vote for the purposes of proceedings under this section.

77 Repeal. Section 76 of this act, relative to the special meetings of towns, is repealed.

78 State Agencies; Supplanting General Fund Reductions With Other Funds. For the fiscal year ending June 30, 2011, any state agency may supplant general fund reductions required pursuant to this act with federal and other funds that may become available for that purpose. The department of administrative services shall report to the fiscal committee of the general court on or before July 30, 2010 detailing the use of any such funds.

79 Furloughs Required for Certain State Employees. Nonclassified and unclassified state employees shall take 12 unpaid furlough days during fiscal year 2011.

80 Reductions in Personnel Expenditures. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2011, any reductions in personnel expenditures in an agency shall be distributed proportionately between classified and unclassified employees of such agency. Upon petition by an agency, the fiscal committee of the general court may grant an exemption from this requirement.

81 Vacant Positions; Bumping Rights; Layoffs. Amend 2009, 144:64 to read as follows:
144:64 Department of Administrative Services; Suspension of Bumping Rights.

I. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02 (i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011.

II. The procedure for layoffs of permanent employees pursuant to administrative rule Per 1101.02 (d), prohibiting the layoff of permanent employees while there are temporary fill-in, part-time, or probationary employees serving in the same class of position within the same division of the agency, is hereby suspended from the effective date of this section to June 30, 2011.

III. *The reassignment prior to layoff of classified state employees into vacant but funded positions, pursuant to administrative rule Per 1101.02 (f) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011.*

82 Vacant Positions; Rehiring of Laid Off State Employees. Amend 2009, 144:65, II to read as follows:

II. It is the intent of the general court that any 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 and if he or she meets the minimum qualifications for the position, ***provided however that any position a department or establishment intends to leave vacant shall remain vacant.***

83 New Section; Certain Transfers Prohibited. Amend RSA 9 by inserting after section 16-b the following new section:

9:16-c Certain Transfers Prohibited. Notwithstanding any other provision of law to the contrary, no funds shall be transferred out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

84 Department of Health and Human Services; Reduction in Appropriation. Amend 2009, 143:9, as amended by 2010, 4:3 to read as follows:

143:9 Department of Health and Human Services; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations from any line by ~~[\$19,559,231]~~ **\$8,676,231** for the biennium ending June 30, 2011. Any direct services to New Hampshire citizens shall be excluded from these reductions

unless expressly approved by the fiscal committee of the general court and the governor and council. The department shall provide a quarterly report of reductions made under this section to the fiscal committee of the general court and the governor and council.

85 Transfer of Anna Philbrook Center Residents. Notwithstanding any provision of law to the contrary:

I. The department of health and human services shall transfer all residents of the Anna Philbrook center to the F-Unit wing of New Hampshire hospital. After said transfer is complete, the department shall consider utilizing the Anna Philbrook center for office space as needed by the department, or taking steps to close the facility once vacant.

II. The department of health and human services shall utilize the I-Unit wing of the New Hampshire hospital to provide beds as necessary for adult patients displaced by the transfer of residents of the Anna Philbrook center to the F-Unit wing of New Hampshire hospital pursuant to paragraph I.

86 Shelter Care Services. For the biennium ending June 30, 2011, the department of health and human services shall continue to fund shelter care services at Midway Shelter in Bradford, Antrim Girls Shelter in Antrim, and North Country Shelter Care in Jefferson.

87 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of health and human services and department of corrections shall work in consultation to facilitate the transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately transferred to allow operation of the transitional housing unit and relocation of programs of the department of health and human services currently residing in the Tobey building. Said transfers shall include, but not be limited to, the use of existing capital and operating budget appropriations to allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to the Anna Philbrook center if the department of health and human services decides to utilize said facility for office space pursuant to section 85 of this act. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

88 Youth Development Center and State Prison for Women; Population Transfers.

I. Notwithstanding any provision of law to the contrary, the department of health and human services and department of corrections shall simultaneously transfer the population of the youth development center to suitable properties located at the lakes region facility located in Laconia, and the population of the state prison for women to the current facility of the youth development center by June 30, 2011. Once the populations of the youth development center and state prison for women are transferred to the proposed facilities, the department of corrections shall cease its contracts with Hillsborough and Strafford counties to house female offenders. Notwithstanding any provision of law to the contrary, all functions, positions, powers, duties, shall be appropriately transferred to allow the operation of the facilities for the use required by this section. The departments shall utilize existing capital and operating budget appropriations for renovations of the youth development center and the lakes region facility located in Laconia as necessary to effectuate the transfer of said populations. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

II. The department of health and human services and department of corrections shall work in consultation to develop a plan to effectuate the transfer of said populations. Said plan shall include an estimate of any state general fund savings which will result from said transfers, and shall be submitted to the speaker of the house of representatives, the president of the senate, the fiscal committee of the general court, and the governor and executive councilors on or before September 1, 2010.

89 Committee to Study the Youth Development Center and State Prison for Women.

I. There is established a committee to study the transfer of populations of the youth development center and the state prison for women.

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

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

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

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

IV. The committee shall study the transfer of the population of the youth development center to the lakes region facility located in Laconia, and the transfer of the population of the state prison for women to the current facility of the youth development center as required by section 88 of this act. The committee shall also determine all statutory or administrative rule changes that will be necessary to effectuate said transfers.

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

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

90 Fine Revenues. Notwithstanding the provisions of RSA 262:44, the state treasurer shall deposit into the general fund \$185,000 for fiscal year 2010 and \$760,000 for fiscal year 2011 from fine revenues received under RSA 262:44, I.

91 New Chapter; Electricity Generation Tax. Amend RSA by inserting after chapter 83-F the following new chapter:

CHAPTER 83-G ELECTRICITY GENERATION TAX

83-G:1 Definitions. In this chapter:

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

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

III. "Taxable month" means a calendar month in which electricity is generated.

IV. "Taxpayer" means any person generating electricity in this state, except for:

(a) An "eligible customer generator" as defined in RSA 362-A:1-a, II-b;

(b) A person generating electricity produced by wind energy, geothermal energy, hydrogen derived from biomass fuels or methane gas, ocean thermal, wave, current, or tidal energy, methane gas, biomass technologies, solar technologies, or hydroelectric energy, or that uses as its primary fuel source solid waste as defined in RSA 149-M:4; or

(c) A person generating electricity exclusively in a manner that the electricity generated is not interconnected to the electric distribution grid.

83-G:2 Imposition of Tax. Each taxpayer is liable for a tax of \$.00055 per kilowatt hour of electricity generated within the state.

83-G:3 Collection of Tax. Every taxpayer shall collect and monthly remit the tax to the state as provided in RSA 83-G:4.

83-G:4 Tax Returns.

I. Except as provided in this section, on or before the fifteenth day of each second month following a taxable month, each taxpayer shall make a return to the department for the taxable month on a form prescribed by the department.

II. Any taxpayer who ceases to engage in generating electricity, and is thereby not responsible for filing returns under this chapter, shall file a final return with the department not more than one month after discontinuing such activity. This requirement shall apply

notwithstanding any other provision of this chapter regarding the time within which to file a return.

III. If the commissioner finds that the information required for the making of an accurate return cannot reasonably be compiled by a taxpayer within one month and 15 days after the close of the taxable month for which a return is to be made, the commissioner may grant an extension of time for the filing of such return. Any such extension shall be granted for a period not to exceed 31 calendar days. The granting of such extension may be conditioned upon the payment by the taxpayer of an amount of money equal to the amount estimated by the commissioner to be due with the return when filed under extension. All such estimated payments shall be credited against the taxpayer's liabilities under this chapter.

IV. The taxpayer shall pay to the department the amount of tax imposed by this chapter at the time it makes a return.

83-G:5 Exemptions.

I. It is in the public interest to foster the generation of electricity from renewable energy sources and from small scale distributed energy resources and to encourage waste reduction.

II. Electricity generated from the following sources shall not be subject to taxation under this chapter:

- (a) An "eligible customer generator" as defined in RSA 362-A:1-a, II-b;
- (b) Energy generated by wind energy, geothermal energy, hydrogen derived from biomass fuels or methane gas, ocean thermal, wave, current, or tidal energy, methane gas, biomass technologies, solar technologies, or hydroelectric energy, or that uses as its primary fuel source solid waste as defined in RSA 149-M:4; or
- (c) Electricity generated which is not interconnected to the electric distribution grid.

83-G:6 Instruments, Books, Records, Papers, and Other Documents.

I. Every taxpayer shall provide and keep the necessary instruments and records to show the amount expressed in kilowatt hours of electricity generated by such person.

II. Every taxpayer required to file or actually filing under this chapter shall keep books, records, papers, and other documents which are adequate to reflect the information required by this chapter to be reported to the department by the filing of timely returns with the department.

III. All instruments, books, records, and other papers and documents required to be kept by this chapter shall, at all times during business hours of the day, be subject to inspection by the department.

83-G:7 Additional Returns. When the commissioner has reason to believe that a taxpayer has failed to file a return or to include any part of the total kilowatt hours electricity generated in a filed return, the commissioner may require the taxpayer to file a return or a supplementary return showing such additional information as the commissioner prescribes. Upon the receipt of the supplementary return, or if none is received within the time set by the commissioner, the commissioner may find and assess the amount due upon the information that is available. The making of such additional return does not relieve the taxpayer of any penalty for failure to make a correct original return, or relieve such person from liability for interest imposed under RSA 21-J:28 or for any other additional charges imposed by the commissioner. This section shall not be construed to modify or extend the statute of limitations provided in RSA 21-J:29.

83-G:8 Administration; Rulemaking.

I. The commissioner shall collect the taxes imposed under this chapter, interest on tax, additions to tax, and penalties imposed, and pay over to the state treasurer the amount of funds collected under this chapter.

II. The commissioner shall adopt rules, under RSA 541-A, relative to:

(a) The form of the return and the data which it must contain for the correct computation of the number of kilowatt hours of electricity generated in this state and the tax assessed.

(b) The administration of the electricity generation tax.

(c) The recovery of any tax, interest on tax, additions to tax, or penalties imposed by RSA 83-G or RSA 21-J.

83-G:9 Tax Sales. The provisions of RSA 80:26 apply to the sale of land for the payment of taxes due under this chapter and the state treasurer is authorized to purchase the land for the state. If the state purchases the land, the state treasurer shall certify the purchase to the governor, and the governor shall draw a warrant for the purchase price out of any money in the treasury not otherwise appropriated.

83-G:10 Severability. If any provision of this chapter or the application thereof to any person or circumstance is held to be invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

92 Reference Change. Amend RSA 21-J:31 to read as follows:

21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount of the tax due or \$10, whichever is greater, for each month or part of a month during which the return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in which a return is filed within the extended filing period as provided in RSA 77:18-b, RSA 77-A:9, RSA 77-E:8, RSA ~~[83-C:6, RSA 83-E:5]~~ **83-G:4**, RSA 84-A:7, or RSA 84-C:7, or the failure to file was due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is determined by applying the percentages specified to the net amount of any tax due after crediting any timely payments made through estimating or other means.

93 Reference Change. Amend RSA 21-J:33-a, I to read as follows:

I. If there is a substantial understatement of tax imposed under RSA 77, RSA 77-A, RSA 77-E, RSA 78-A, RSA 78-C, RSA 82-A ~~[or RSA 83-C]~~, or RSA ~~[83-E]~~ **83-G**, for any taxable period, there shall be added to the tax an amount equal to 25 percent of the amount of any underpayment attributable to such understatement.

94 Repeal. RSA 83-E, relative to the electricity consumption tax, is repealed.

95 Insurance Premium Tax. Amend RSA 400-A:32, I(a) to read as follows:

I.(a) Every insurer shall pay to the insurance commissioner ~~[a tax]~~ upon such net premiums, for lines of business written, as set forth in the report filed pursuant to RSA 400-A:31, I, less estimated payments made in accordance with RSA 400-A:32, II, ~~[as follows:~~

- ~~(1) Effective July 1, 2007, a tax of 1.75 percent for all lines of business written pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II;~~
- ~~(2) Effective January 1, 2009, a tax of 1.50 percent for all lines of business written pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II;~~
- ~~(3) Effective January 1, 2010, a tax of 1.25 percent for all lines of business written pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II; and~~
- ~~(4) Effective January 1, 2011, a tax of one percent for all lines of business written pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II.~~
- ~~(5)]~~ a tax of 2 percent for all lines of business written pursuant to RSA 401:1, ~~[IV,]~~ including, but not limited to, insurers licensed pursuant to RSA 420-A, RSA 420-B, and RSA 420-F.

96 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 95 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium tax liability due to the amendment to RSA 400-A:32, I(c) by section 95 of this act shall be paid in full to the insurance commissioner by June 15, 2010.

97 Taxation of Transfers of Certain Estates. RSA 87:1 is repealed and reenacted to read as follows:

87:1 Tax Imposed; Exemption.

I. An estate tax is hereby imposed upon the transfer of the estate of every decedent leaving a taxable estate for which the gross value after allowable deductions, as defined by the Internal Revenue Code of 1986, is greater than \$2,000,000, and who has property within this state.

II. The first \$2,000,000 of the gross value of the decedent's estate shall be exempt from the estate tax.

III. The amount of the New Hampshire estate tax shall be equal to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds the exemption in paragraph II.

IV. If only a portion of the decedent's estate is located in this state, the tax shall be determined as follows:

(a) For a decedent who, at the time of death, was a resident of this state, the New Hampshire estate tax shall be reduced by an amount determined by multiplying the entire amount of the tax by the percentage which the gross value of the real and tangible property portion of the decedent's estate located outside of this state bears to the gross value of the entire estate.

(b) For a decedent who, at the time of death, was not a resident of this state, the New Hampshire estate tax shall be determined by multiplying the entire amount of the tax by the percentage which the gross value of the real and tangible property portion of the decedent's estate located in this state bears to the gross value of the entire estate.

98 Authority to Audit. Amend RSA 87:36, II to read as follows:

II. The department may, on its own motion, undertake such an audit upon written notice to the executor, administrator, or legatee within the statute of limitations as provided in RSA 21-J:29~~], except that where a change is reported as provided in RSA 87:10, such notice shall be provided within 6 months of the receipt of such amended return].~~

99 Repeal. The following are repealed:

- I. RSA 87:7, relative to intent of chapter.
- II. RSA 87:9, relative to chapter void, when.
- III. RSA 87:10, relative to adjustments.

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

457:29 Marriage License Fee. The fee for the marriage license shall be ~~[\$45]~~ **\$50** to be paid by the parties entering into the marriage. The clerk shall forward \$38 from each fee to the department of health and human services for the purposes of RSA 173-B:15, **and \$5 to the state treasurer for deposit in the general fund.** The clerk shall retain the remaining \$7 as the fee for making the records of notice, issuing the certificate of marriage, and forwarding the ~~[\$38]~~ **\$43** portion of the marriage license fee.

101 Fees for Copies, Verifications, and Amendments to Vital Records. Amend RSA 5-C:10, I-II to read as follows:

I. A town clerk or the registrar shall be paid in advance, by any person requesting any copy or verification as provided in RSA 5-C:9, the sum of ~~[\$12]~~ **\$20** for making a search, which sum shall include payment for the issuance of such copy or verification, and ~~[\$8]~~ **\$10** for each subsequent copy, provided that the fee to town clerks for examination of documents and issuance of a delayed birth certificate shall be \$25.

II. The town clerk shall forward \$8 of each search fee collected by the clerk under this section to the department of state for deposit in the vital records improvement fund established under RSA 5-C:15, **\$8 to the state treasurer for deposit in the general fund,** and shall retain the remaining \$4 as the clerk's fee for issuing such a copy. For subsequent copies issued at the same time, the town clerk shall forward \$5 of the fee collected for each subsequent copy under this section to the department for deposit in the vital records

improvement fund established under RSA 5-C:15, ***\$2 to the state treasurer for deposit in the general fund***, and ~~[the town clerk]~~ shall retain the remaining \$3 as the clerk's fee for issuing such a copy. The town clerk shall retain the \$25 fee for a delayed birth certificate as the clerk's fee for examining documents and issuing the delayed birth certificate. Fees collected by the registrar shall be forwarded to the state treasurer for deposit into the vital records improvement fund established under RSA 5-C:15.

102 Prohibition on Delay of Payment or Expenditure. For the fiscal years ending June 30, 2010 and June 30, 2011, no department as defined in RSA 9:1 shall delay a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

103 Appropriations and Charges. In addition to any other sums appropriated for the fiscal year ending June 30, 2011, the following appropriations and charges are hereby authorized for the following departments and agencies. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

1-14		Department of Administrative Services		
01-14-14-1400-1042		Commissioner - Administration		
01-14-14-1400-1042	020	Current Expenses	General Funds	(\$1,000)
01-14-14-1400-1042	030	Equipment New/Replacement	General Funds	(\$500)
01-14-14-1400-1042	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1410-1044		Personnel Admin - Support		
01-14-14-1410-1044	020	Current Expenses	General Funds	(\$7,500)
01-14-14-1405-1310		Bureau of Accounting		
01-14-14-1405-1310	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1405-1310	066	Employee Training	General Funds	(\$1,450)
01-14-14-1405-1330		Financial Reporting		
01-14-14-1405-1330	070	In-State Travel	General Funds	(\$150)
01-14-14-1405-1330	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1350		Budget Office		
01-14-14-1400-1350	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1360		Business Office		
01-14-14-1400-1360	020	Current Expenses	General Funds	(\$500)
01-14-14-1420-1370		Financial Data Management		
01-14-14-1420-1370	037	Technology - Hardware	General Funds	(\$25,352)
01-14-14-1420-1370	046	Consultants (non-benefited)	General Funds	(\$30,000)
01-14-14-1400-1375		Risk Management Unit		
01-14-14-1400-1375	020	Current Expenses	General Funds	(\$500)
01-14-14-1400-1375	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1400-1375	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1415-1440		Plant & Property Administration		
01-14-14-1415-1440	070	In-State Travel	General Funds	(\$250)
01-14-14-1415-1440	080	Out-of-State Travel	General Funds	(\$1,450)
01-14-14-1410-1442		Employee Relations		
01-14-14-1410-1442	020	Current Expenses	General Funds	(\$600)
01-14-14-1415-2040		General Services		
01-14-14-1415-2040	023	Heat, Electricity & Water	General Funds	(\$50,000)
01-14-14-1415-2040	080	Out-of-State Travel	General Funds	(\$184)
01-14-14-1415-2042		Bureau Facilities and Assets Management		
01-14-14-1415-2042	030	Equipment New/Replacement	General Funds	(\$5,300)
01-14-14-1415-2045		Bureau of Court Facilities		
01-14-14-1415-2045	023	Heat, Electricity & Water	Other Funds	(\$125,000)
01-14-14-1415-2045	047	Own Forces Maintenance/Building & Grounds	Other Funds	(\$6,500)
01-14-14-1415-2045	070	In-State Travel	Other Funds	(\$5,000)
01-14-14-1415-2045	201	Sheriff's Reimbursement	General Funds	(\$100,000)

01-14-14-1415-2083		M-S Building		
01-14-14-1415-2083	020	Current Expenses	General Funds	(\$10,000)
01-14-14-1415-2083	023	Heat, Electricity & Water	General Funds	(\$25,000)
01-14-14-1415-2083	030	Equipment New/Replacement	General Funds	(\$900)
01-14-14-1415-2083	070	In-State Travel	General Funds	(\$500)
01-14-14-1415-2091		Public Works Bureau		
01-14-14-1415-2091	020	Current Expenses	General Funds	(\$5,000)
01-14-14-1415-2091	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2091	070	In-State Travel	General Funds	(\$7,500)
01-14-14-1415-2098		Dept. Of Justice Building		
01-14-14-1415-2098	023	Heat, Electricity & Water	General Funds	(\$15,000)
01-14-14-1415-2098	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2099		Upham Walker Building		
01-14-14-1415-2099	023	Heat, Electricity & Water	General Funds	(\$5,000)
01-14-14-1415-5320		Lakes Region Campus		
01-14-14-1415-5320	070	In-State Travel	General Funds	(\$300)
01-14-14-1400-1356		Retirees Health		
01-14-14-1400-1356	046	Consultants (Non-benefited)	General Funds	(\$7,790)
01-14-14-1400-1356	100	Prescription Drug Expenditures	General Funds	(\$1,423,300)
01-14-14-1400-1356	101	Medical Payments To Providers	General Funds	(\$1,010,800)
01-14-14-1400-1356	102	Contracts for Program Services	General Funds	(\$108,110)
01-34		Department of Cultural Resources		
01-34-34-3420-3420		Office of Preservation		
01-34-34-3420-3420	010	Personal Services - Permanent Classified	General Funds	(\$38,560)
01-34-34-3420-3420	060	Benefits	General Funds	(\$31,614)
01-34-34-3420-3441		Federal Preservation Programs		
01-34-34-3420-3441	010	Personal Services - Permanent Classified	Federal Funds	\$38,560
01-34-34-3420-3441	060	Benefits	Federal Funds	\$31,614
01-34-34-3405-7000		Central Library Services		
01-34-34-3405-7000	010	Personal Services - Permanent Classified	General Funds	(\$115,595)
01-34-34-3405-7000	060	Benefits	General Funds	(\$44,512)
01-34-34-3410-1250		State Arts Development		
01-34-34-3410-1250	011	Personal Services - Unclassified	General Funds	(\$32,561)
01-34-34-3410-1250	060	Benefits	General Funds	(\$12,469)
01-84		Dept of Revenue Administration		
01-84-84-8400-7884		Administration		
01-84-84-8400-7884	070	In-State Travel	General Funds	(\$50,000)
01-84-84-8405-1301		Audit Division		
01-84-84-8405-1301	010	Personal Services - Permanent Classified	General Funds	(\$319,665)
01-84-84-8405-1301	060	Benefits	General Funds	(\$180,391)
01-84-84-8405-1401		Collections Division		
01-84-84-8405-1401	010	Personal Services - Permanent Classified	General Funds	(\$47,981)
01-84-84-8405-1401	060	Benefits	General Funds	(\$24,135)
01-84-84-8405-1501		Documents Processing Division		
01-84-84-8405-1501	010	Personal Services - Permanent Classified	General Funds	(\$126,805)
01-84-84-8405-1501	012	Personal Services - Unclassified	General Funds	(\$70,853)
01-84-84-8405-1501	045	Personal Services (Non-Benefited)	General Funds	(\$30,000)
01-84-84-8405-1501	060	Benefits	General Funds	(\$126,972)
01-84-84-8410-5413		Appraisal Services		
01-84-84-8410-5413	010	Personal Services - Permanent Classified	General Funds	(\$33,291)
01-84-84-8410-5413	060	Benefits	General Funds	(\$14,258)
01-28		Real Estate Commission		
01-28-28-2800-2054		Real Estate Comm Admin		

01-28-28-2800-2054	010	Personal Services- Permanent Classified	General Funds	(\$11,000)
01-28-28-2800-2054	104	Certification Expense	General Funds	(\$27,000)
01-29		Real Estate Appraiser Board		
01-29-29-2923-1140		Real Estate Appraiser Board Admin		
01-29-29-2923-1140	060	Benefits	General Funds	(\$7,155)
01-51		Board of Accountancy		
01-51-51-5100-2115		Board of Accountancy Admin		
01-51-51-5100-2115	020	Current Expenses	General Funds	(\$8,000)
01-51-51-5100-2115	046	Consultants (Non-benefited)	General Funds	(\$4,100)
01-31		Joint Board		
01-31-31-3100-2250		Joint Board Admin		
01-31-31-3100-2250	010	Personal Services- Permanent Classified	General Funds	(\$33,840)
01-31-31-3100-2250	060	Benefits	General Funds	(\$23,561)
01-39		Board of Manufactured Housing		
01-39-39-3923-4423		Board of Manufactured Housing		
01-39-39-3923-4423	020	Current Expense	General Funds	(\$1,451)
01-39-39-3923-4423	070	In-State Travel	General Funds	(\$260)
01-05		Executive Council		
01-05-05-0520-1001		Executive Council		
01-05-05-0520-1001	012	Personal Services - Unclassified	General Funds	(\$300)
01-05-05-0520-1001	020	Current Expense	General Funds	(\$2,180)
01-05-05-0520-1001	027	Transfers to DoIT	General Funds	(\$500)
01-05-05-0520-1001	030	Equipment	General Funds	(\$600)
01-05-05-0520-1001	080	Out-of-State Travel	General Funds	(\$1,215)
01-02		Executive Office		
01-02-02-0200		Executive Office		
01-02-02-0200-1036		Office of the Governor		
01-02-02-0200-1036		Personal Services/Current Expenses/Benefits	General Funds	(\$75,665)
01-02-02-0205		Governor's Commission on Disability		
01-02-02-0205-1004		Commission on Disability		
01-02-02-0205-1004	011	Personal Services - Unclassified	General Funds	(\$31,237)
01-02-02-0205-1006	020	Current Expenses	General Funds	(\$500)
01-02-02-0205-1004	026	Organizational Dues	General Funds	(\$100)
01-02-02-0205-1006	030	Equipment	General Funds	(\$500)
01-02-02-0205-1006	046	Consultants (Non-Benefited)	General Funds	(\$750)
01-02-02-0205-1004	060	Benefits	General Funds	(\$4,881)
01-02-02-0205-1006	070	In-State Travel	General Funds	(\$1,500)
01-02-02-0205-1006	080	Out-of-State	General Funds	(\$559)
01-02-02-0205-1004	230	Interpreter Services	General Funds	(\$2,000)
01-02-02-0240		Office of Energy and Planning Administration		
01-02-02-0240-6400				
01-02-02-0240-6400	010	Personal Services- Permanent Classified	General Funds	(\$21,204)
01-02-02-0240-6400	016	Personal Services - Non-Classified	General Funds	(\$12,659)
01-02-02-0240-6400	046	Consultants (Non-Benefited)	General Funds	(\$10,000)
01-02-02-0240-6400	060	Benefits	General Funds	(\$6,942)
01-02-02-0240-6400	068	Remuneration	General Funds	(\$18,607)
01-02-02-0240-6570		Municipal/Regional Assistance		
01-02-02-0240-6570	010	Personal Services- Permanent Classified	General Funds	(\$2,150)
01-02-02-0240-6570	060	Benefits	General Funds	(\$332)
01-02-02-0240-6570	073	Grants - Non Federal	General Funds	(\$30,000)
01-02-02-0240-4096		Connecticut River Valley		

01-02-02-0240-4096	068	Remuneration	General Funds	(\$26,136)
01-02-02-0240-8114		Unemployment Compensation		
01-02-02-0240-8114	061	Unemployment Compensation	General Funds	(\$5,000)
02-12		Adjutant General Department		
02-12-12-1200-2220		Administration and Armories		
02-12-12-1200-2220	010	Personal Services- Permanent Classified	General Funds	(\$89,318)
02-12-12-1200-2220	020	Current Expense	General Funds	(\$15,000)
02-12-12-1200-2220	022	Rents & Leases Other than State	General Funds	(\$6,853)
02-12-12-1200-2220	060	Benefits	General Funds	(\$63,308)
02-12-12-1200-2233		Air National Guard MNT/OPER		
02-12-12-1200-2233	020	Current Expenses	General Funds	(\$5,000)
02-12-12-1200-2233	020	Current Expenses	Federal Funds	(\$15,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	General Funds	(\$5,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	Federal Funds	(\$15,000)
02-12-12-1200-2233	047	Own Forces Maintenance/Building &Grounds	General Funds	(\$5,000)
02-12-12-1200-2233	047	Own Forces Maintenance/Building &Grounds	Federal Funds	(\$15,000)
02-12-12-1200-2240		Army and State 50/50		
02-12-12-1200-2240	023	Heat, Electricity, & Water	General Funds	(\$45,000)
02-12-12-1200-2240	023	Heat, Electricity, & Water	Federal Funds	(\$45,000)
02-12-12-1200-2240	103	Contracts for Operational Services	General Funds	(\$88,374)
02-12-12-1200-2240	103	Contracts for Operational Services	Federal Funds	(\$88,374)
02-12-12-1210-2260		NH State Veterans Cemetery Operations		
02-12-12-1210-2260	050	Personal Services - Temporary/Appointed	General Funds	(\$15,000)
02-12-12-1210-2260	060	Benefits	General Funds	(\$1,147)
02-18		Department of Agriculture, Markets &Food		
02-18-18-1825-2705		Animal Population Control		
02-18-18-1825-2705	010	Personal Services- Permanent Classified	General Funds	(\$30,888)
02-18-18-1825-2705	060	Benefits	General Funds	(\$30,098)
02-18-18-1830-2137		Pesticide Regulation		
02-18-18-1830-2137	060	Benefits	General Funds	(\$31,626)
02-18-18-1830-2137	060	Benefits	Other Funds	\$31,626
02-18-18-1805-2133		Division of Weights & Measures		
02-18-18-1805-2133	018	Overtime	General Funds	(\$31,041)
02-18-19-1900-7883		Board of Veterinary Medicine		
02-18-19-1900-7883	010	Personal Services- Permanent Classified	General Funds	(\$9,688)
02-18-19-1900-7883	060	Benefits	General Funds	(\$5,677)
02-20		Department of Justice		
02-20-20-2000-2601		Attorney General		
02-20-20-2000-2601	010	Personal Services- Permanent Classified	General Funds	(\$89,379)
02-20-20-2000-2601	060	Benefits	General Funds	(\$32,799)
02-20-20-2005-2610		Criminal Bureau		
02-20-20-2005-2610	010	Personal Services- Permanent Classified	General Funds	(\$124,374)
02-20-20-2005-2610	060	Benefits	General Funds	(\$63,229)
02-20-20-2005-2610	010	Personal Services- Permanent Classified	Federal Funds	\$92,428
02-20-20-2005-2610	060	Benefits	Federal Funds	\$42,264
02-20-20-2005-2611		Consumer Bureau		
02-20-20-2005-2611	010	Personal Services- Permanent Classified	General Funds	(\$39,990)
02-20-20-2005-2611	014	Personal Services- Unclassified	General Funds	(\$68,092)
02-20-20-2005-2611	060	Benefits	General Funds	(\$43,025)
02-20-20-2005-2611	010	Personal Services- Permanent Classified	Other Funds	\$39,990
02-20-20-2005-2611	014	Personal Services- Unclassified	Other Funds	\$68,092
02-20-20-2005-2611	060	Benefits	Other Funds	\$43,025
02-20-20-2010-2620		Civil Bureau		

02-20-20-2010-2620	010	Personal Services- Permanent Classified	General Funds	(\$47,310)
02-20-20-2010-2620	013	Personal Services- Unclassified	General Funds	(\$172,374)
02-20-20-2010-2620	060	Benefits	General Funds	(\$106,062)
02-73		Public Employee Labor Relations Board		
02-73-73-7300-2066		Public Employee Labor Relations Board		
02-73-73-7300-2066	010	Personal Services- Permanent Classified	General Funds	(\$14,936)
02-73-73-7300-2066	020	Current Expenses	General Funds	(\$1,500)
02-73-73-7300-2066	026	Organizational Dues	General Funds	(\$115)
02-73-73-7300-2066	046	Consultants (Non-Benefited)	General Funds	(\$1,200)
02-73-73-7300-2066	050	Personal Services- Temporary/Appointed	General Funds	(\$4,500)
02-73-73-7300-2066	070	In-State Travel	General Funds	(\$250)
02-86		Racing & Charitable Gaming Commission		
02-86-86-8600-2210		Racing & Charitable Gaming Commission		
02-86-86-8600-2210	018	Overtime	General Funds	(\$5,000)
02-86-86-8600-2210	019	Holiday Pay	General Funds	(\$1,000)
02-86-86-8600-2210	020	Current Expenses	General Funds	(\$15,000)
02-86-86-8600-2210	024	Maintenance Other than Building & Grounds	General Funds	(\$500)
02-86-86-8600-2210	059	Full-Time Temporary	General Funds	(\$20,000)
02-86-86-8600-2210	060	Benefits	General Funds	(\$10,000)
02-86-86-8600-2210	070	In-State Travel	General Funds	(\$5,000)
02-26		Department of Labor		
02-26-26-2605-6100		Inspection Division		
02-26-26-2605-6100	010	Personal Services- Permanent Classified	General Funds	(\$57,826)
02-26-26-2605-6100	060	Benefits	General Funds	(\$50,174)
02-77		Liquor Commission		
02-77-77-7705-7878		Enforcement		
02-77-77-7705-7878	18	Overtime	Other Funds	(\$60,000)
02-77-77-7705-7878	30	Equipment New/Replacement	Other Funds	(\$70,000)
02-77-77-7705-1021		Licensing		
02-77-77-7705-1021	22	Rents & Leases Other Than State	Other Funds	(\$40,000)
02-77-77-7710-1023		Financial Administration		
02-77-77-7710-1023	22	Rents & Leases Other Than State	Other Funds	(\$110,000)
02-77-77-7715-1024		Merchandising - Administration		
02-77-77-7715-1024	46	Consultants (Non-Benefited)	Other Funds	(\$225,000)
02-46		Department of Corrections		
02-46-46-4650-8236		Pharmacy		
02-46-46-4650-8236	070	In-State travel	General Funds	(\$1,601)
02-46-46-4650-8236	100	Prescription Drug Expenditures	General Funds	(\$750,000)
02-46-46-4600-7101		Commissioner's Office		
02-46-46-4600-7101	020	Current Expenses	General Funds	(\$15,000)
02-46-46-4600-7101	066	Employee Training	General Funds	(\$15,000)
02-46-46-4600-7101	070	In-State travel	General Funds	(\$1,722)
02-46-46-4660-7111		NH State Prison for Women		
02-46-46-4660-7111	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4660-7111	023	Heat, Electricity & Water	General Funds	(\$11,493)
02-46-46-4660-7111	047	Own Forces Maintenance/Building & Grounds	General Funds	(\$2,000)
02-46-46-4660-7111	048	Contractual Maintenance/Building & Grounds	General Funds	(\$3,000)
02-46-46-4660-7111	068	Remuneration	General Funds	(\$12,497)
02-46-46-4660-7111	070	In-State travel	General Funds	(\$3,257)
02-46-46-4660-7111	102	Contracts For Program Services	General Funds	(\$242,000)
02-46-46-4650-5833		Secured Psych Unit (SPU)		
02-46-46-4650-5833	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-5833	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,000)

02-46-46-4650-5833	047	Own Forces Maintenance - Building &Grounds	General Funds	(\$5,000)
02-46-46-4650-5833	068	Remuneration	General Funds	(\$4,507)
02-46-46-4650-5833	070	In-State travel	General Funds	(\$1,831)
02-46-46-4630-7103		NHSP/M - Kitchen		
02-46-46-4630-7103	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7103	024	Maintenance Other Than Building &Grounds	General Funds	(\$2,000)
02-46-46-4630-7108		NHSP/M - Warehouse		
02-46-46-4630-7108	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7108	070	In-State travel	General Funds	(\$217)
02-46-46-4630-7113		NHSP/M - Admin		
02-46-46-4630-7113	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7113	024	Maintenance Other Than Building &Grounds	General Funds	(\$1,000)
02-46-46-4630-7113	070	In-State travel	General Funds	(\$25,727)
02-46-46-4630-7120		NHSP/M - Security		
02-46-46-4630-7120	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7120	068	Remuneration	General Funds	(\$150,173)
02-46-46-4630-7140		NHSP/M - Maintenance		
02-46-46-4630-7140	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7140	023	Heat, Electricity & Water	General Funds	(\$158,914)
02-46-46-4630-7140	047	Own Forces Maintenance/Building &Grounds	General Funds	(\$10,000)
02-46-46-4630-7140	070	In-State travel	General Funds	(\$3,257)
02-46-46-4600-7170		Parole Board		
02-46-46-4600-7170	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4600-7170	068	Remuneration	General Funds	(\$200)
02-46-46-4600-7170	070	In-State travel	General Funds	(\$9,874)
02-46-46-4650-8231		Mental Health		
02-46-46-4650-8231	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4650-8231	070	In-State travel	General Funds	(\$2,569)
02-46-46-4650-8235		Residential Treatment Unit (RTU)		
02-46-46-4650-8235	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-8235	070	In-State travel	General Funds	(\$2,910)
02-46-46-4610-8300		Financial Services		
02-46-46-4610-8300	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4610-8300	070	In-State travel	General Funds	(\$286)
02-46-46-4640-8302		Field Services		
02-46-46-4640-8302	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4640-8302	023	Heat, Electricity & Water	General Funds	(\$1,562)
02-46-46-4640-8302	047	Own Forces Maintenance/Building &Grounds	General Funds	(\$2,000)
02-46-46-4640-8302	070	In-State travel	General Funds	(\$90,733)
02-46-46-4600-8360		Training		
02-46-46-4600-8360	020	Current Expenses	General Funds	(\$2,000)
02-46-46-4600-8360	070	In-State travel	General Funds	(\$1,329)
02-46-46-4645-7874		Calumet House		
02-46-46-4645-7874	023	Heat, Electricity & Water	General Funds	(\$2,455)
02-46-46-4645-7874	024	Maintenance Other Than Building &Grounds	General Funds	(\$2,000)
02-46-46-4645-7874	070	In-State travel	General Funds	(\$1,086)
02-46-46-4650-8234		Medical - Dental		
02-46-46-4650-8234	024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
02-46-46-4650-8234	070	In-State travel	General Funds	(\$11,326)
02-46-46-4645-5172		Shea Farm		
02-46-46-4645-5172	023	Heat, Electricity & Water	General Funds	(\$2,947)
02-46-46-4645-5172	048	Contractual Maintenance/Building &Grounds	General Funds	(\$6,000)
02-46-46-4645-7107		North End House		

02-46-46-4645-7107	070	In-State travel	General Funds	(\$543)
02-46-46-4600-8301		Human Resources		
02-46-46-4600-8301	070	In-State travel	General Funds	(\$615)
02-76		NH Commission for Human Rights		
02-76-76-7600-7882		NH Commission for Human Rights		
02-76-76-7600-7882	020	Current Expenses	General Funds	(\$2,175)
02-76-76-7600-7882	020	Current Expenses	Federal Funds	(\$458)
02-76-76-7600-7882	038	Technology - Software	General Funds	(\$2,557)
02-76-76-7600-7882	038	Technology - Software	Federal Funds	(\$539)
02-76-76-7600-7882	050	Personal Services- Temporary/Appointed	General Funds	(\$1,638)
02-76-76-7600-7882	050	Personal Services- Temporary/Appointed	Federal Funds	(\$345)
02-76-76-7600-7882	057	Books, Periodicals, Subscriptions	General Funds	(\$1,922)
02-76-76-7600-7882	057	Books, Periodicals, Subscriptions	Federal Funds	(\$405)
02-76-76-7600-7882	066	Employee Training	General Funds	(\$814)
02-76-76-7600-7882	066	Employee Training	Federal Funds	(\$171)
02-76-76-7600-7882	068	Remuneration	General Funds	(\$826)
02-76-76-7600-7882	068	Remuneration	Federal Funds	(\$174)
02-76-76-7600-7882	070	In-State Travel	General Funds	(\$1,264)
02-76-76-7600-7882	070	In-State Travel	Federal Funds	(\$266)
02-76-76-7600-7882	103	Contracts for Operational Services	General Funds	(\$25)
02-76-76-7600-7882	103	Contracts for Operational Services	Federal Funds	(\$5)
03-35		Department of Resources and Economic Development		
03-35-35-3500-3400		Office of the Commissioner		
03-35-35-3500-3400	040	Indirect Costs	General Funds	(\$1,657)
03-35-35-3500-3401		Design Development-Maintenance		
03-35-35-3500-3401	010	Personal Services- Permanent Classified	General Funds	(\$36,025)
03-35-35-3500-3401	010	Personal Services- Permanent Classified	Other Funds	(\$41,782)
03-35-35-3500-3401	060	Benefits	General Funds	(\$14,395)
03-35-35-3500-3401	060	Benefits	Other Funds	(\$16,694)
03-35-35-3500-3402		Bureau Of Historic Sites		
03-35-35-3500-3402	070	In-State Travel	General Funds	(\$500)
03-35-35-3510-3500		Forest and Lands/Adm.		
03-35-35-3510-3500	045	Personal Services (Non-Benefited)	General Funds	(\$16,000)
03-35-35-3510-3505		Management & Protection		
03-35-35-3510-3505	010	Personal Services- Permanent Classified	Other Funds	(\$19,413)
03-35-35-3510-3505	060	Benefits	Other Funds	(\$7,765)
03-35-35-3510-3510		Forest Management		
03-35-35-3510-3510	010	Personal Services- Permanent Classified	General Funds	(\$86,509)
03-35-35-3510-3510	010	Personal Services- Permanent Classified	Other Funds	\$86,509
03-35-35-3510-3510	020	Current Expenses	General Funds	(\$10,000)
03-35-35-3510-3510	060	Benefits	General Funds	(\$24,825)
03-35-35-3510-3510	060	Benefits	Other Funds	\$24,825
03-35-35-3510-2102		Fuelwood		
03-35-35-3510-2102	020	Current Expenses	Other Funds	\$10,000
03-35-35-3510-3520		Forest Protection		
03-35-35-3510-3520	010	Personal Services- Permanent Classified	General Funds	(\$55,996)
03-35-35-3510-3520	050	Personal Services - Temporary/Appointed	General Funds	(\$29,778)
03-35-35-3510-3520	060	Benefits	General Funds	(\$32,758)
03-35-35-3510-3492		Special Deputy Training		
03-35-35-3510-3492	050	Personal Services - Temporary/Appointed	Other Funds	\$25,000
03-35-35-3510-3492	060	Benefits	Other Funds	\$1,912
03-35-35-3505-3600		Economic Development Admin.		

03-35-35-3505-3600	020	Current Expenses	General Funds	(\$4,458)
03-35-35-3505-3600	069	Promotional And Marketing Expense	General Funds	(\$100,000)
03-35-35-3505-3612		Office of International Comm.		
03-35-35-3505-3612	020	Current Expenses	General Funds	(\$86,000)
03-35-35-3505-3615		Industrial Research Center		
03-35-35-3505-3615	102	Contracts For Program Services	General Funds	(\$100,000)
03-35-35-3520-3620		Travel & Tourism		
03-35-35-3520-3620	069	Promotional And Marketing Expense	General Funds	(\$165,000)
03-35-35-3520-3576		International Tourism		
03-35-35-3520-3576	069	Promotional And Marketing Expense	General Funds	(\$5,000)
03-35-35-3520-5874		Travel & Tourism Dev Fund		
03-35-35-3520-5874	069	Promotional And Marketing Expense	General Funds	(\$40,000)
03-44		Environmental Services		
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	102	Contracts for Program Services	General Funds	(\$220,000)
03-44-44-4420-1003		State Aid Grants		
03-44-44-4420-1003	073	Grants - Non-Federal	General Funds	(\$327,701)
03-44-44-4420-1518		Lakes - Rivers Management		
03-44-44-4420-1518	102	Contracts for Program Services	General Funds	(\$100,000)
03-44-44-4420-1523		ShellFish Healthy Tides		
03-44-44-44201523	102	Contracts for Program Services	General Funds	(\$16,500)
03-44-44-4420-3800		Dam Maintenance Administration		
03-44-44-4420-3800	102	Contracts for Program Services	General Funds	(\$78,700)
03-44-44-4420-3800	303	Public Access Projects	General Funds	(\$25,000)
03-44-44-4440-2589		CERCLA Maintenance		
03-44-44-4440-2589	102	Contracts for Program Services	General Funds	(\$200,000)
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	010	Personal Services - Permanent Classified	General Funds	(\$75,373)
03-44-44-4400-1002	010	Personal Services - Permanent Classified	Other Funds	(\$34,982)
03-44-44-4400-1002	060	Benefits	General Funds	(\$40,861)
03-44-44-4400-1002	060	Benefits	Other Funds	(\$18,965)
03-44-44-4420-3800		Dam Bureau Administration		
03-44-44-4420-3800	010	Personal Services - Permanent Classified	General Funds	(\$110,070)
03-44-44-4420-3800	060	Benefits	General Funds	(\$64,534)
03-44-44-4420-3800	010	Personal Services - Permanent Classified	Other Funds	(\$22,545)
03-44-44-4420-3800	060	Benefits	Other Funds	(\$13,218)
03-44-44-4420-3815		Wetlands Administration		
03-44-44-4420-3815	010	Personal Services - Permanent Classified	General Funds	(\$64,254)
03-44-44-4420-3815	060	Benefits	General Funds	(\$51,343)
03-44-44-4440-5402		Solid Waste Assist- Prmt- Enfor		
03-44-44-4440-5402	010	Personal Services - Permanent Classified	General Funds	(\$147,661)
03-44-44-4440-5402	060	Benefits	General Funds	(\$72,576)
03-44-44-4440-5492		RCRA State Match		
03-44-44-4440-5492	010	Personal Services - Permanent Classified	General Funds	(\$94,551)
03-44-44-4440-5492	060	Benefits	General Funds	(\$56,607)
03-44-44-4430-5496		Radon Program		
03-44-44-4430-5496	010	Personal Services - Permanent Classified	General Funds	(\$31,907)
03-44-44-4430-5496	060	Benefits	General Funds	(\$10,027)
03-44-44-4430-5496	010	Personal Services - Permanent Classified	Federal Funds	(\$31,907)
03-44-44-4430-5496	060	Benefits	Federal Funds	(\$10,028)
04-96		Department of Transportation		
04-96-96-9640-2931		Railroad		
04-96-96-9640-2931	010	Personal Services- Permanent Classified	General Funds	(\$34,866)

04-96-96-9640-2931	060	Benefits	General Funds	(\$21,800)
04-96-96-9640-2931	010	Personal Services- Permanent Classified	Federal Funds	\$34,866
04-96-96-9640-2931	060	Benefits	Federal Funds	\$21,800
04-96-96-9640-2107		Aeronautics		
04-96-96-9640-2107	070	In-State Travel	General Funds	(\$4)
04-96-96-9640-2049		Land & Buildings		
04-96-96-9640-2049	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
04-96-96-9640-2049	048	Contractual Maintenance/Buildings&Grounds	General Funds	(\$17,500)
04-96-96-9640-2049	400	Construction, Repair & Material	General Funds	(\$5,000)
04-96-96-9640-2058		Maintenance/Critical Repair		
04-96-96-9640-2058	048	Contractual Maintenance/Buildings&Grounds	General Funds	(\$10,000)
05-95		Department of Health and Human Services		
05-95-40		Division for Children, Youth and Families		
05-95-40-4030-5855		Child-Family Services		
05-95-40-4030-5855	101	Medical Payments to Providers	General Funds	(\$6,997)
05-95-40-4030-5855	101	Medical Payments to Providers	Federal Funds	(\$7,031)
05-95-40-4030-5855	533	Foster Care Services	General Funds	(\$172,486)
05-95-40-4030-5855	533	Foster Care Services	Federal Funds	(\$173,320)
05-95-40-4030-5855	535	Out Of Home Placements	General Funds	(\$232,263)
05-95-40-4030-5855	535	Out Of Home Placements	Federal Funds	(\$233,385)
05-95-40-4030-5855	550	Assessment and Counseling	General Funds	(\$1,716)
05-95-40-4030-5855	550	Assessment and Counseling	Federal Funds	(\$1,724)
05-95-40-4030-5855	563	Community Based Services	General Funds	(\$59,040)
05-95-40-4030-5855	563	Community Based Services	Federal Funds	(\$59,325)
05-95-40-4030-5857		DCYF-Prevention Programs		
05-95-40-4030-5857	073	Grants - Non-Federal	General Funds	(\$784,911)
05-95-45		Division of Family Assistance		
05-95-45-4500-6127		Employment Support		
05-95-45-4500-6127	102	Contracts For Program Services	General Funds	(\$73,000)
05-95-45-4500-6127	102	Contracts For Program Services	Federal Funds	(\$554,000)
05-95-48		Bureau of Elderly and Adult Services		
05-95-48-4810-8915		Congregate Housing		
05-95-48-4810-8915	502	Payments to Providers	General Funds	(\$15,000)
05-95-48-4815-6173		Nursing Services		
05-95-48-4815-6173	504	Nursing Home Payments	General Funds	(\$2,057,000)
05-95-48-4815-6173	504	Nursing Home Payments	Federal Funds	(\$2,057,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	General Funds	(\$71,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	Federal Funds	(\$70,000)
05-95-48-4815-6173	506	Home Nursing Services	General Funds	(\$435,000)
05-95-48-4815-6173	506	Home Nursing Services	Federal Funds	(\$436,000)
05-95-48-4815-6173	529	Home Health Services	General Funds	\$274,000
05-95-48-4815-6173	529	Home Health Services	Federal Funds	\$274,000
05-95-90		Division of Public Health Services		
05-95-90-9015-5121		Health Promotion		
05-95-90-9015-5121	020	Current Expenses	General Funds	(\$12,422)
05-95-90-9015-5121	022	Rents & Leases Other than State	General Funds	(\$1,500)
05-95-90-9015-5121	050	Personal Services - Temporary/Appointed	General Funds	(\$9,503)
05-95-90-9015-5121	060	Benefits	General Funds	(\$727)
05-95-90-9020-2223		Boston EMA Title I		
05-95-90-9020-2223	568	TI HIV Care Boston Ema	General Funds	(\$400,000)
05-95-90-9025-5178		Immunization Program		
05-95-90-9025-5178	102	Contracts For Program Services	Federal Funds	(\$5,000)
05-95-90-9030-5230		Public Health Laboratories		

05-95-90-9030-5230	020	Current Expenses	General Funds	(\$20,400)
05-95-90-9030-5230	548	Reagents	General Funds	(\$27,000)
05-95-92		Bureau of Behavioral Health		
05-95-92-9200-7010		Community Mental Health Services		
05-95-92-9200-7010	552	Rehab Services	General Funds	(\$466,000)
05-95-92-9200-7010	552	Rehab Services	Federal Funds	(\$617,000)
05-95-93		Division of Developmental Services		
05-95-93-9300-7100		Developmental Services		
05-95-93-9300-7100	102	Contracts for Program Services	General Funds	(\$30,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	General Funds	(\$671,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	Federal Funds	(\$671,000)
05-95-93-9300-7016		Acquired Brain Disorder Services		
05-95-93-9300-7016	557	Medicaid Waiver Services	General Funds	(\$120,000)
05-95-93-9300-7016	557	Medicaid Waiver Services	Federal Funds	'(\$120,000)
05-95-93-9300-7559		NH Brain Injury Program		
05-95-93-9300-7559	502	Payments to Providers	General Funds	(\$50,000)
05-95-93-9300-5191		Special Medical Services		
05-95-93-9300-5191	046	Consultants (Non-Benefited)	General Funds	(\$41,000)
05-95-93-9300-5191	102	Contracts for Program Services	General Funds	(\$15,000)
05-95-93-9300-5191	561	Specialty Clinics	General Funds	(\$99,000)
05-95-94		New Hampshire Hospital		
05-95-94-9400-8750		Acute Psychiatric Services		
05-95-94-9400-8750	102	Contracts for Program Services	General Funds	(\$190,000)
05-95-94-9400-8750	102	Contracts for Program Services	Federal Funds	(\$22,000)
05-95-95-9560		Office of Medicaid and Business Policy		
05-95-95-9560-6126		Medicaid Administration		
05-95-95-9560-6126	512	Transportation Of Clients	General Funds	(\$306,000)
05-95-95-9560-6126	512	Transportation Of Clients	Federal Funds	(\$306,000)
05-95-95-9560-6143		Pharmacy Services		
05-95-95-9560-6143	503	State Phase Down	General Funds	(\$5,500,000)
05-95-95-9560-6147		Provider Payments		
05-95-95-9560-6147	101	Medical Payments to Providers	General Funds	(\$3,416,846)
05-95-95-9560-6147	101	Medical Payments to Providers	Federal Funds	(\$3,415,246)
05-95-95-9560-6147	565	Outpatient Hospital	General Funds	(\$350,000)
05-95-95-9560-6147	565	Outpatient Hospital	Federal Funds	(\$350,000)
05-95-95-9584		DCBCS Treatment & Prevention		
05-95-95-9584-1388		Governor		
05-95-95-9584-1388	102	Contracts for Program Services	General Funds	(\$76,000)
05-43		New Hampshire Veterans Home		
05-43-43-4300-5358		Custodial Services		
05-43-43-4300-5358	018	Overtime	General Funds	(\$10,000)
05-43-43-4300-5358	019	Holiday Pay	General Funds	(\$5,000)
05-43-43-4300-5358	020	Current Expenses	General Funds	(\$10,000)
05-43-43-4300-5358	021	Food Institutions	General Funds	(\$26,000)
05-43-43-4300-5358	023	Heat, Electricity & Water	General Funds	(\$40,000)
05-43-43-4300-5358	047	Own Forces Maintenance/Building & Grounds	General Funds	(\$50,000)
05-43-43-4300-5358	050	Personal Services - Temporary/Appointed	General Funds	(\$20,000)
05-43-43-4300-5358	070	In-State Travel	General Funds	(\$7,000)
05-43-43-4300-5359		Professional Services		
05-43-43-4300-5359	010	Personal Services- Permanent Classified	General Funds	(\$773,535)
05-43-43-4300-5359	010	Personal Services- Permanent Classified	Federal Funds	\$773,535
05-43-43-4300-5359	011	Personal Services - Unclassified	General Funds	(\$5,727)
05-43-43-4300-5359	011	Personal Services - Unclassified	Federal Funds	\$5,727

05-43-43-4300-5359	018	Overtime	General Funds	(\$6,180)
05-43-43-4300-5359	018	Overtime	Federal Funds	\$6,180
05-43-43-4300-5359	019	Holiday Pay	General Funds	(\$23,619)
05-43-43-4300-5359	019	Holiday Pay	Federal Funds	\$10,974
05-43-43-4300-5359	019	Holiday Pay	Other Funds	(\$9,540)
05-43-43-4300-5359	020	Current Expenses	General Funds	(\$31,999)
05-43-43-4300-5359	020	Current Expenses	Federal Funds	\$27,640
05-43-43-4300-5359	020	Current Expenses	Other Funds	(\$3,289)
05-43-43-4300-5359	026	Organizational Dues	General Funds	(\$119)
05-43-43-4300-5359	026	Organizational Dues	Federal Funds	\$119
05-43-43-4300-5359	027	Transfers to Office Information Technology	General Funds	(\$7,520)
05-43-43-4300-5359	027	Transfers to Office Information Technology	Federal Funds	\$7,520
05-43-43-4300-5359	030	Equipment New/Replacement	General Funds	(\$10,952)
05-43-43-4300-5359	030	Equipment New/Replacement	Federal Funds	\$10,952
05-43-43-4300-5359	041	Audit Fund Set Aside	General Funds	(\$377)
05-43-43-4300-5359	041	Audit Fund Set Aside	Federal Funds	\$377
05-43-43-4300-5359	046	Consultants (Non-Benefited)	General Funds	(\$18,775)
05-43-43-4300-5359	046	Consultants (Non-Benefited)	Federal Funds	\$18,775
05-43-43-4300-5359	050	Personal Services - Temporary/Appointed	General Funds	(\$40,051)
05-43-43-4300-5359	050	Personal Services - Temporary/Appointed	Federal Funds	\$40,051
05-43-43-4300-5359	060	Benefits	General Funds	(\$407,826)
05-43-43-4300-5359	060	Benefits	Federal Funds	\$407,826
05-43-43-4300-5359	070	In-State Travel	General Funds	(\$1,366)
05-43-43-4300-5359	070	In-State Travel	Federal Funds	\$527
05-43-43-4300-5359	070	In-State Travel	Other Funds	(\$633)
05-43-43-4300-5359	080	Out-of-State Travel	General Funds	(\$313)
05-43-43-4300-5359	080	Out-of-State Travel	Federal Funds	\$313
05-43-43-4300-5360		Pharmacy Services		
05-43-43-4300-5360	100	Prescription Drug Expenditures	General Funds	(\$54,000)
05-74		HHS Admin Attached Boards		
05-74-74-7405-7400		Board of Medicine		
05-74-74-7405-7400	018	Overtime	General Funds	(\$31)
05-74-74-7405-7400	020	Current Expenses	General Funds	(\$5,000)
05-74-74-7405-7400	050	Personal Services - Temporary/Appointed	General Funds	(\$18,810)
05-74-74-7405-7400	060	Benefits	General Funds	(\$1,552)
05-74-74-7410-7410		Board of Optometry		
05-74-74-7410-7410	020	Current Expenses	General Funds	(\$1,500)
05-74-74-7410-7410	070	In-State Travel	General Funds	(\$539)
05-74-74-7420-7420		Nursing Home Exam Board		
05-74-74-7420-7420	020	Current Expenses	General Funds	(\$500)
05-74-74-7420-7420	050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7420-7420	060	Benefits	General Funds	(\$77)
05-74-74-7425-7425		Off of Allied Health Prof		
05-74-74-7425-7425	046	Consultants (Non-Benefited)	General Funds	(\$700)
05-74-74-7425-7425	050	Personal Services - Temporary/Appointed	General Funds	(\$4,883)
05-74-74-7425-7425	060	Benefits	General Funds	(\$117)
05-74-74-7425-7425	070	In-State Travel	General Funds	(\$2,000)
05-74-74-7430-7430		Nurses Registration		
05-74-74-7430-7430	018	Overtime	General Funds	(\$8,000)
05-74-74-7430-7430	020	Current Expenses	General Funds	(\$10,000)
05-74-74-7430-7430	024	Maintenance Other Than Building &		

		Grounds	General Funds	(\$3,000)
05-74-74-7430-7430	046	Consultants (Non-Benefited)	General Funds	(\$3,500)
05-74-74-7430-7430	050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7430-7430	060	Benefits	General Funds	(\$77)
05-74-74-7430-7430	070	In-State Travel	General Funds	(\$500)
05-74-74-7431-7431		Nurses Registration		
05-74-74-7431-7431	020	Current Expenses	Other Funds	(\$1,000)
05-74-74-7431-7431	024	Maintenance Other Than Building & Grounds	Other Funds	(\$3,000)
05-74-74-7431-7431	042	Post Retirement (Additional Fringe Benefits)	Other Funds	(\$1,442)
05-74-74-7431-7431	050	Personal Services - Temporary/Appointed	Other Funds	(\$306)
05-74-74-7431-7431	060	Benefits	Other Funds	(\$500)
05-74-74-7432-7432		Nurses Registration		
05-74-74-7432-7432	020	Current Expenses	Other Funds	(\$9,000)
05-74-74-7432-7432	046	Consultants (Non-Benefited)	Other Funds	(\$250)
05-74-74-7432-7432	070	In-State Travel	Other Funds	(\$1,000)
05-74-74-7435-7435		Pharmacy Board		
05-74-74-7435-7435	018	Overtime	General Funds	(\$8,000)
05-74-74-7435-7435	020	Current Expenses	General Funds	(\$2,004)
05-74-74-7435-7435	022	Rents & Leases Other than State	General Funds	(\$1,000)
05-74-74-7435-7435	026	Organizational Dues	General Funds	(\$600)
05-74-74-7435-7435	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
05-74-74-7435-7435	070	In-State Travel	General Funds	(\$6,000)
05-74-74-7440-7440		Chiropractic Examiners		
05-74-74-7440-7440	010	Personal Services- Permanent Classified	General Funds	(\$10,156)
05-74-74-7440-7440	060	Benefits	General Funds	(\$5,542)
05-74-74-7445-7445		Cosmetology/Barbers Board		
05-74-74-7445-7445	010	Personal Services- Permanent Classified	General Funds	(\$8,385)
05-74-74-7445-7445	060	Benefits	General Funds	(\$10,632)
05-74-74-7450-7450		Dental Board		
05-74-74-7450-7450	020	Current Expenses	General Funds	(\$5,500)
05-74-74-7450-7450	026	Organizational Dues	General Funds	(\$590)
05-74-74-7450-7450	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7455-7455		Electrolysis Board		
05-74-74-7455-7455	020	Current Expenses	General Funds	(\$334)
05-74-74-7460-7460		Funeral Directors - Embalmers		
05-74-74-7460-7460	020	Current Expenses	General Funds	(\$994)
05-74-74-7460-7460	026	Organizational Dues	General Funds	(\$75)
05-74-74-7460-7460	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465		NH Bd of Mental Health Practice		
05-74-74-7465-7465	020	Current Expenses	General Funds	(\$3,000)
05-74-74-7465-7465	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465	050	Personal Services - Temporary/Appointed	General Funds	(\$8,847)
05-74-74-7465-7465	060	Benefits	General Funds	(\$733)
05-74-74-7470-7470		Ophthalmic Dispensers		
05-74-74-7470-7470	020	Current Expenses	General Funds	(\$1,410)
05-74-74-7475-7475		Naturopathic Examiners		
05-74-74-7475-7475	020	Current Expenses	General Funds	(\$197)
05-74-74-7475-7475	050	Personal Services - Temporary/Appointed	General Funds	(\$584)
05-74-74-7475-7475	060	Benefits	General Funds	(\$48)
05-74-74-7480-7480		Hearing Aid Dealers		
05-74-74-7480-7480	020	Current Expenses	General Funds	(\$1,000)

05-74-74-7480-7480	070	In-State Travel	General Funds	(\$128)
05-74-74-7485-7485		Board of Acupuncture		
05-74-74-7485-7485	020	Current Expenses	General Funds	(\$183)
05-74-74-7485-7485	050	Personal Services - Temporary/Appointed	General Funds	(\$544)
05-74-74-7485-7485	060	Benefits	General Funds	(\$45)
05-74-74-7490-7490		Midwifery Council		
05-74-74-7490-7490	020	Current Expenses	General Funds	(\$64)
05-74-74-7492-7492		Bd of Alc - ODA Professionals		
05-74-74-7492-7492	070	In-State Travel	General Funds	(\$1,962)
05-74-74-7493-7493		Massage Therapy Advisory Board		
05-74-74-7493-7493	020	Current Expenses	General Funds	(\$5,821)
05-74-74-7495-7495		Bd of Licensed Dietitians		
05-74-74-7495-7495	050	Personal Services - Temporary/Appointed	General Funds	(\$1,158)
05-74-74-7495-7495	060	Benefits	General Funds	(\$96)
06-57		Postsecondary Education Commission		
06-57-57-5700-5407		Administration - Financial Aid		
06-57-57-5700-5407	021	Food Institutions	General Funds	(\$2,000)
06-57-57-5700-5407	050	Personal Services - Temporary/Appointed	General Funds	(\$20,659)
06-57-57-5700-5407	060	Benefits	General Funds	(\$1,580)
06-57-57-5700-6074		Granite State Scholars		
06-57-57-5700-6074	107	Scholarships & Grants	General Funds	(\$160,949)
06-57-57-5700-6075		Veterinary Education Program		
06-57-57-5700-6075	107	Scholarships & Grants	General Funds	(\$21,813)
06-57-57-5700-6076		Medical Education Program		
06-57-57-5700-6076	107	Scholarships & Grants	General Funds	(\$5,000)
06-56		Department of Education		
06-56-56-5605-2022		Governance and Standards		
06-56-56-5605-2022	010	Personal Services- Permanent Classified	General Funds	(\$72,852)
06-56-56-5605-2022	046	Consultants (Non-Benefited)	General Funds	(\$7,810)
06-56-56-5605-2022	060	Benefits	General Funds	(\$21,412)
06-56-56-5605-2022	067	Training & Providers	General Funds	(\$5,000)
06-56-56-5605-2022	235	Transcription Services	General Funds	(\$1,203)
06-56-56-5610-6019		Other State Aid		
06-56-56-5610-6019	078	Cat Aid - Education	General Funds	(\$3,946,405)
06-56-56-5610-6019	600	Tuition and Transportation Aid	General Funds	(\$607,993)
06-56-56-5610-6019	606	Dropout Prevention	General Funds	(\$128,065)
06-56-56-5610-6019	607	Statewide Special Education	General Funds	(\$23,942)
06-56-56-5610-6019	609	Local Education Improvement	General Funds	(\$39,903)
06-56-56-5610-6019	610	Career Tech Student Orgs	General Funds	(\$9,178)
06-56-56-5615-4101		Court Ordered Placements		
06-56-56-5615-4101	602	State Fund Non-Match	General Funds	(\$122,710)
06-56-56-5620-6401		Instruction - State		
06-56-56-5620-6401	010	Personal Services- Permanent Classified	General Funds	(\$137,710)
06-56-56-5620-6401	060	Benefits	General Funds	(\$62,529)
06-56-56-5620-3260		Curriculum and Assessment		
06-56-56-5620-3260	010	Personal Services- Permanent Classified	General Funds	(\$63,180)
06-56-56-5620-3260	060	Benefits	General Funds	(\$27,613)
06-56-56-5620-3260	067	Training & Providers	General Funds	(\$1,836)
06-56-56-5620-3260	102	Contracts for Program Services	General Funds	(\$4,589)
06-56-56-5620-3260	103	Contracts for Operational Services	General Funds	(\$120)
06-56-56-5620-3260	612	State Testing	General Funds	(\$240,420)
06-56-56-5620-5406		Parent as Teacher		
06-56-56-5620-5406	602	State Fund Non-Match	General Funds	(\$65,000)

06-56-56-5635-4000	Program Support - State		
06-56-56-5635-4000 010	Personal Services- Permanent Classified	General Funds	(\$73,682)
06-56-56-5635-4000 060	Benefits	General Funds	(\$30,926)
06-56-56-5635-4000 614	Data/Info Processing	General Funds	(\$2,190)
06-56-56-5640-3004	School Nutrition - Section IV		
06-56-56-5640-3004 602	State Fund Non-Match	General Funds	(\$15,961)
06-56-56-5650-4082	Career Tech - Adult Learn - ADM		
06-56-56-5650-4082 011	Personal Services-Unclassified	General Funds	(\$92,106)
06-56-56-5650-4082 060	Benefits	General Funds	(\$25,218)
06-56-56-5650-6030	Vocational Education - State		
06-56-56-5650-6030 010	Personal Services- Permanent Classified	General Funds	(\$30,888)
06-56-56-5650-6030 060	Benefits	General Funds	(\$13,235)
06-56-56-5660-7004	Adult Education		
06-56-56-5660-7004 602	State Fund Non-Match	General Funds	(\$102,920)
06-83	Lottery Commission		
06-83-83-8300-1029	Lottery Division		
06-83-83-8300-1029 022	Rents & Leases Other than State	Other Funds	(\$650,000)
06-61	McAuliffe-Shepard Discovery Center		
06-61-61-6100-3432	Administration		
06-61-61-6100-3432 018	Overtime	General Funds	(\$1,500)
06-61-61-6100-3432 020	Current Expenses	General Funds	(\$12,700)
06-61-61-6100-3432 023	Heat, Electricity & Water	General Funds	(\$21,100)
06-61-61-6100-3432 024	Maintenance Other Than Building & Grounds	General Funds	(\$1,500)
06-61-61-6100-3432 048	Contractual Maintenance/Building & Grounds	General Funds	(\$8,200)
Total appropriations and charges as included in category 01 thru and including 06			
	General fund		(\$33,759,257)
	Federal funds		(\$7,474,655)
	Other funds		(\$1,165,845)
	Total funds		(\$42,399,757)

104 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 62-67, 69, 70, and 91-94 shall take effect July 1, 2010.

II. Section 45 and 46 of this act shall take effect June 15, 2010.

III. Section 68 of this act shall take effect November 1, 2012.

IV. Sections 75 and 77 of this act shall take effect July 1, 2011.

V. Sections 97-99 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.

7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.
32. Requires the lapse of certain judicial council funds for contracts for program services.
33. Requires the lapse of certain appropriations to the state treasurer for debt service.

34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
35. Establishes a commission to study business taxes.
36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
37. Increases the license fees for selling animals and birds.
38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
39. Transfers certain appropriations relating to adequate education grants.
40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
51. Directs the state treasurer to deposit certain fine revenues in the general fund.
52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
53. Sets the insurance premium tax at 2 percent for all lines of insurance.
54. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
55. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
56. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
57. Makes appropriation reductions for fiscal year 2011.

MOTION TO DIVIDE

Rep. Hess moved that Sections 62 through 66 and Sections 88 through 89 be divided from ***SB 450-FN***, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

Rep. Hess spoke in favor.

Rep. Nordgren spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

YEAS 173 NAYS 189

YEAS 173

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Nedeau, Stephen	Pilliod, James	Russell, David
Swinford, Elaine	Veazey, John	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Knox, J. David
McConkey, Mark	Patten, Betsey	Roberts, John	Scala, Dino
Stevens, Stanley	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Stohl, Eric	Tholl, John Jr
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GRAFTON

Gionet, Edmond	Ingretson, Paul	Ladd, Rick Jr	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Beaulieu, Jane	Belvin, William
Bergin, Peter	Boehm, Ralph	Cebrowski, John	Christensen, Chris
Christiansen, Lars	Craig, James	Daniels, Gary	Day, Russell
Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy
Emerton, Larry	Gagne, Larry	Gandia, Laura	Gargas, Carolyn
Goley, Jeffrey	Graham, John	Haefner, Robert	Hawkins, Ken
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
Jasper, Shawn	Kurk, Neal	L'Heureux, Robert	Long, Patrick
McCarthy, Michael	Mead, Robert	Messier, Irene	Moran, Edward
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Pellegrino, Tony
Pepino, Leo	Peterson, Andrew	Pratt, Calvin	Price, Pamela
Ramsey, Peter	Renzullo, Andrew	Rowe, Robert	Ryder, Donald
Seidel, Carl	Shaw, Barbara	Silva, Peter	Soucy, Connie
Spaulding, Jayne	Tahir, Saghir	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Anderson, Eric
Kotowski, Frank
Reed, Dennis

Blankenbeker, Lynne
Lockwood, Priscilla
Smith, Todd

Coffey, Jennifer
McGuire, Carol

Hess, David
Palfrey, David

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella

Stiles, Nancy
Welch, David

Bailey, Clinton
Bettencourt, David
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James
Weyler, Kenneth

Baldasaro, Alfred
Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth
Sedensky, John

Tucker, Pamela

Bates, David
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Sapareto, Frank
Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Vita, Carol

Groen, Warren

Sprague, Dale

Twombly, James

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 189

BELKNAP

Arsenault, Beth
Stuart, Richard

Johnson, William

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weed, Charles

Burridge, Delmar
Carlson, Nancy
Meador, David
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Baroody, Benjamin	Beck, Catriona	Caron, June	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Cote, David	Flurey, Joan
Foster, Linda	Garritty, Patrick	Gidge, Kenneth	Ginsburg, Ruth
Gorman, Mary	Hackel, Paul	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Jeudy, Jean	Katsiantonis, Thomas	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn
Mack, Ron	Marshall, Seth	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Rhodes, Brian	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Soucy, Timothy	Thompson, Robert	Vaillancourt, Steve	Walsh, Robert Jr
Williams, Carol	Winters, Joel		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	McMahon, Patricia	Osborne, Jessie
Owen, Derek	Porter, Margaret	Potter, Frances	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	Cushing, Robert	Day, Judith	DiPentima, Rich
Henson, John	Hutchinson, Gina	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Petterson, Don	Read, Robin Jr
Russell, Trinka	Schlachman, Donna	Splaine, James	Webber, Carolyn

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Hofemann, Roland
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Lewis, Robert	Perry, Robert	Price, Susan
Rogers, Rose Marie	Rollo, Deanna	Rous, Emma	Ryder, Mark
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Vachon, Dennis
Wall, Janet	Ward, Kenneth	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby,	McClammer, Jim	Skinder, Carla

Charlotte

Sweeney, Cynthia
and the motion failed.

The question now being adoption of the majority committee amendment.

Rep. Kurk spoke against and yielded to questions.

Rep. Marjorie Smith spoke in favor and yielded to questions.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 187 NAYS 182

YEAS 187

BELKNAP

Arsenault, Beth
Pilliod, James

Johnson, William
Stuart, Richard

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weed, Charles

Burridge, Delmar
Carlson, Nancy
Meador, David
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pastor, Beatriz
Taylor, Kathleen

Almy, Susan
Friedrich, Carol
Matheson, Robert
Pierce, David
Townsend, Charles

Benn, Bernard
Gould, Franklin
Mulholland, Catherine
Preston, Philip
White, Andrew

Cooney, Mary
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
Caron, June
Cote, David
Gidge, Kenneth
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Leishman, Peter
Mack, Ron

Beaulieu, Jane
Chandley, Shannon
Flurey, Joan
Ginsburg, Ruth
Hardy, Valerie
Judy, Jean
Komi, Richard
Levasseur, Nickolas
Marshall, Seth

Beck, Catriona
Chase, Claudia
Foster, Linda
Goley, Jeffrey
Harvey, Philip
Kelley, John
Kopka, Angeline
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Neil, James
Rosenwald, Cindy
Thompson, Robert

Boisvert, Ronald
Chininis, Alexis
Garritty, Patrick
Hackel, Paul
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Lisle, Carolyn
Movsesian, Lori
Pilotte, Maurice
Schulze, Joan
Walsh, Robert Jr

Williams, Carol

Winters, Joel

MERRIMACK

Bartlett, Michael
Davis, Frank
Gile, Mary
Osborne, Jessie
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

Bouchard, Candace
DeJoie, John
Hamm, Christine
Owen, Derek
Richardson, Gary
Stetson, William
Watrous, Rick
Yeaton, Charles

Brown, Carole
Foose, Robert
Kelly, Sally
Porter, Margaret
Rodd, Beth
Tilton, Joy
Webb, Leigh

Clarke, Claire
French, Barbara
McMahon, Patricia
Potter, Frances
Schuett, Dianne
Tupper, Frank
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Henson, John
Mann, Maureen
Nord, Susi
Russell, Trinkia

Borden, David
Cushing, Robert
Hutchinson, Gina
McCarthy, Barbara
Pantelakos, Laura
Schlachman, Donna

Brown, C. Pennington
Day, Judith
Kepner, Susan
McEachern, Paul
Pettersen, Don
Splaine, James

Cali-Pitts, Jacqueline
DiPentima, Rich
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Webber, Carolyn

STRAFFORD

Berube, Roger
Cyr, James
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Brennan, William
Grassie, Anne
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

Brown, Larry
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Watters, David

Burke, Rachel
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia

NAYS 182

BELKNAP

Bolster, Peter
Millham, Alida
Veazey, John

Boyce, Laurie
Nedeau, Stephen
Wendelboe, Fran

Fields, Dennis
Russell, David

Flanders, Donald
Swinford, Elaine

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Boehm, Ralph
Christiansen, Lars
Doherty, Shaun
Emerton, Larry
Gorman, Mary
Hawkins, Ken
Hogan, Edith
Infantine, William
L'Heureux, Robert
Messier, Irene
Ober, Russell III
Peterson, Andrew
Renzullo, Andrew
Shaw, Barbara
Sullivan, Daniel
Villeneuve, Moe

Beauchamp, Roger
Campbell, David
Craig, James
Dokmo, Cynthia
Gagne, Larry
Graham, John
Hikel, John
Holden, Frank
Jasper, Shawn
Long, Patrick
Moran, Edward
Palmer, Stephen
Pratt, Calvin
Rowe, Robert
Silva, Peter
Tahir, Saghir
Willette, Robert

Belvin, William
Cebrowski, John
Daniels, Gary
Drisko, Richard
Gandia, Laura
Haefner, Robert
Hinch, Richard
Holden, Rip
Katsiantonis, Thomas
McCarthy, Michael
O'Brien, William
Pellegrino, Tony
Price, Pamela
Ryder, Donald
Soucy, Connie
Ulery, Jordan

Bergin, Peter
Christensen, Chris
Day, Russell
Elliott, Nancy
Gargas, Carolyn
Haley, Robert
Hinkle, Peyton
Hopper, Gary
Kurk, Neal
Mead, Robert
Ober, Lynne
Pepino, Leo
Ramsey, Peter
Seidel, Carl
Spaulding, Jayne
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Kotowski, Frank
Reed, Dennis

Blankenbeker, Lynne
Lockwood, Priscilla
Smith, Todd

Coffey, Jennifer
McGuire, Carol

Hess, David
Palfrey, David

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella

Bailey, Clinton
Bettencourt, David
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr

Baldasaro, Alfred
Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth
Sedensky, John

Bates, David
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Sapareto, Frank
Smith, William

Stiles, Nancy
Welch, David

Sullivan, James
Wells, Roger

Tucker, Pamela
Weyler, Kenneth

Weare, Everett

STRAFFORD

Bickford, David
Price, Susan

Browne, Brendon
Sprague, Dale

Groen, Warren
Twombly, James

Hofemann, Roland
Vita, Carol

SULLIVAN

Cunningham, Steven Howard, Thomas Osgood, Joe Rodeschin, Beverly
and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Wendelboe offered floor amendment (1954h).

Floor Amendment (1954h)

Amend the bill by inserting after section 103 the following and renumbering the original section 104 to read as 105:

104 New Hampshire Medical Malpractice Joint Underwriting Association; Resolution of Matters.

I. The general court hereby finds that in light of the New Hampshire supreme court's determination that the proposed transfer of surplus funds from the New Hampshire Medical Malpractice Joint Underwriting Association (NHMMJUA) to the general fund pursuant to RSA 144:1 would constitute an unconstitutional impairment of policyholder contract rights, any attempt to transfer these funds to the general fund without agreement of the policyholders will inevitably result in further litigation and delay, and that therefore it is in the best interest of the state of New Hampshire and its citizens to expeditiously resolve this matter as set forth in this section.

II. Notwithstanding any other provision of law, the NHMMJUA, by and through its board of directors, and the insurance commissioner are hereby:

(a) Directed to take no action which impairs or could impair the rights of current or former policyholders of the NHMMJUA with respect to funds held in surplus with respect to the period from 1986 to 2009, whether such right is established by contract, law, regulation or otherwise.

(b) Authorized and directed to negotiate and enter into a settlement with the class of policyholders of the NHMMJUA with respect to the period from 1986 to 2009:

(1) To assist in securing court approval for a class action settlement that may be necessary or appropriate; and

(2) To resolve and release all related issues.

(c) Authorized and directed to approve a distribution by the NHMMJUA to the policyholders of amounts in excess of those reasonably necessary as reserves for existing and potential claims with respect to the period from 1986 to 2009 no later than September 1, 2010.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.

7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.

8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the “multiple DWI offender intervention detention center program” as the “multiple DWI offender intervention program,” and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.
32. Requires the lapse of certain judicial council funds for contracts for program services.
33. Requires the lapse of certain appropriations to the state treasurer for debt service.
34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.

35. Establishes a commission to study business taxes.
 36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 37. Increases the license fees for selling animals and birds.
 38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 39. Transfers certain appropriations relating to adequate education grants.
 40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
 50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
 51. Directs the state treasurer to deposit certain fine revenues in the general fund.
 52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
 53. Sets the insurance premium tax at 2 percent for all lines of insurance.
 54. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
 - 55. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.**
 56. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 57. Makes appropriation reductions for fiscal year 2011.
 58. Requires the New Hampshire Medical Malpractice Joint Underwriting Association and the insurance commissioner to settle a lawsuit.
- Rep. Wendelboe spoke in favor and yielded to questions.

Rep. Gary Richardson spoke against.
Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 137 NAYS 227

YEAS 137

BELKNAP

Boyce, Laurie
Nedeau, Stephen
Wendelboe, Fran

Fields, Dennis
Russell, David

Merry, Liz
Swinford, Elaine

Millham, Alida
Veazey, John

CARROLL

Chandler, Gene
Roberts, John

Fleck, Joseph
Scala, Dino

Knox, J. David
Stevens, Stanley

McConkey, Mark
Umberger, Karen

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence
Tholl, John Jr

Remick, William

Stohl, Eric

Theberge, Robert

GRAFTON

Ingbreton, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Elliott, Nancy
Hawkins, Ken
Hogan, Edith
Infantine, William
McCarthy, Michael
Ober, Russell III
Peterson, Andrew
Ryder, Donald
Spaulding, Jayne

Belvin, William
Christiansen, Lars
Gagne, Larry
Hikel, John
Holden, Frank
Jasper, Shawn
Mead, Robert
Palmer, Stephen
Pratt, Calvin
Seidel, Carl
Ulery, Jordan

Boehm, Ralph
Daniels, Gary
Gargasz, Carolyn
Hinch, Richard
Holden, Rip
Kurk, Neal
Moran, Edward
Pellegrino, Tony
Price, Pamela
Silva, Peter
Villeneuve, Moe

Cebrowski, John
Drisko, Richard
Graham, John
Hinkle, Peyton
Hopper, Gary
L'Heureux, Robert
Ober, Lynne
Pepino, Leo
Renzullo, Andrew
Soucy, Connie
Willette, Robert

MERRIMACK

Anderson, Eric
Hess, David
Reed, Dennis

Blankenbeker, Lynne
Kotowski, Frank
Rodd, Beth

Coffey, Jennifer
McGuire, Carol
Smith, Todd

Hamm, Christine
Palfrey, David

ROCKINGHAM

Allen, Mary
Bettencourt, David
Charron, Gene
DiFruscia, Anthony
Fesh, Robert

Bailey, Clinton
Bishop, Franklin
Comerford, Timothy
Dowling, Patricia
Flanders, John Sr

Baldasaro, Alfred
Bridle, Russell
DeSimone, Debra
Emiro, Frank
Garrity, James

Bates, David
Case, Frank
Devine, James
Ferrante, Beverly
Hoelzel, Kathleen

Howard, Doreen
Kappler, L. Mike
McMahon, Charles
Quandt, Matt
Sapareto, Frank
Sullivan, James
Weyler, Kenneth

Ingram, Russell
Katsakiores, Phyllis
Packard, Sherman
Rausch, James
Sedensky, John
Tucker, Pamela

Introne, Robert
Kolodziej, Walter
Perkins, Amy
Reagan, John
Smith, William
Weare, Everett

Itse, Daniel
Major, Norman
Perkins, Lawrence
Sanders, Elisabeth
Stiles, Nancy
Welch, David

STRAFFORD

Groen, Warren

Twombly, James

Vita, Carol

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 227

BELKNAP

Arsenault, Beth
Miller, Kate

Bolster, Peter
Pilliod, James

Flanders, Donald
Stuart, Richard

Johnson, William

CARROLL

Ahlgren, Christopher
Patten, Betsey

Bridgham, Robert
Wiley, Susan

Buco, Thomas

Butler, Edward

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Burridge, Delmar
Carlson, Nancy
Meador, David
Roberts, Kris
Weed, Charles

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William

Mears, Lucy

Merrick, Evalyn

Thomas, Yvonne

GRAFTON

Aguiar, James
Ford, Susan
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne
Williams, Burton

Almy, Susan
Friedrich, Carol
Laliberte, Suzanne
Pastor, Beatriz
Taylor, Kathleen

Benn, Bernard
Gionet, Edmond
Matheson, Robert
Pierce, David
Townsend, Charles

Cooney, Mary
Gould, Franklin
Mulholland, Catherine
Preston, Philip
White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chandley, Shannon
Craig, James
Flurey, Joan
Gidge, Kenneth
Hackel, Paul
Hardy, Valerie

Beauchamp, Roger
Boisvert, Ronald
Chase, Claudia
Doherty, Shaun
Foster, Linda
Ginsburg, Ruth
Haefner, Robert
Harvey, Philip

Beaulieu, Jane
Campbell, David
Chininis, Alexis
Dokmo, Cynthia
Gandia, Laura
Goley, Jeffrey
Haley, Robert
Harvey, Suzanne

Beck, Catriona
Caron, June
Cote, David
Emerton, Larry
Garrity, Patrick
Gorman, Mary
Hammond, Jill
Hodges, Kevin

Jeudy, Jean
Knowles, Mary Ann
Leishman, Peter
Long, Patrick

Messier, Irene
O'Neil, James
Rhodes, Brian
Shattuck, Gilman
Tahir, Saghir
Williams, Carol

Katsiantonis, Thomas
Komi, Richard
Levasseur, Nickolas
Mack, Ron

Movsesian, Lori
Pilotte, Maurice
Rosenwald, Cindy
Shaw, Barbara
Thompson, Robert
Winters, Joel

Kelley, John
Kopka, Angeline
Levesque, Melanie
Marshall, Seth

Nixon, David
Poznanski, Brian
Rowe, Robert
Soucy, Timothy
Vaillancourt, Steve

Knowles, John
LaPlante, Roland
Lisle, Carolyn
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Ramsey, Peter
Schulze, Joan
Sullivan, Daniel
Walsh, Robert Jr

MERRIMACK

Bartlett, Michael
DeJoie, John
Kelly, Sally
Owen, Derek
Richardson, Gary
Tilton, Joy
Webb, Leigh

Brown, Carole
Foose, Robert
Lockwood, Priscilla
Porter, Margaret
Schuett, Dianne
Tupper, Frank
Wheeler, Deborah

Clarke, Claire
French, Barbara
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

Davis, Frank
Gile, Mary
Osborne, Jessie
Rice, Chip
Stetson, William
Watrous, Rick
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Cali-Pitts, Jacqueline
Day, Judith
Gould, Kenneth
Hutchinson, Karen
McCarthy, Barbara
Nevins, Chris
Priestley, Anne
Scamman, W.
Douglas Jr

Belanger, Ronald
Casey, Kimberley
DiPentima, Rich
Griffin, Mary
Kepner, Susan
McEachern, Paul
Nord, Susi
Read, Robin Jr
Schlachman, Donna

Borden, David
Crisler, Margaret
Elliott, Robert
Henson, John
Lyons, Melissa
McKinney, Betsy
Pantelakos, Laura
Russell, Trink
Splaine, James

Brown, C. Pennington
Cushing, Robert
Gleason, John
Hutchinson, Gina
Mann, Maureen
Moody, Marcia
Petterson, Don
Scamman, Stella
Webber, Carolyn

STRAFFORD

Berube, Roger
Browne, Brendon
Hofemann, Roland
Keans, Sandra
Price, Susan
Ryder, Mark
Vachon, Dennis

Bickford, David
Burke, Rachel
Horrigian, Timothy
Lauterborn, Elaine
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Brennan, William
Cyr, James
Hubbard, Pamela
Lewis, Robert
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

Brown, Larry
Grassie, Anne
Kaen, Naida
Perry, Robert
Rous, Emma
Spang, Judith
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia

and floor amendment (1954h) failed.

Rep. William O'Brien declared a conflict of interest on floor amendment (1954h) and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Vaillancourt offered floor amendment (1990h).

Floor Amendment (1990h)

Amend the bill by deleting section 101 and renumbering the original sections 102-104 to read as 101-103, respectively.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.

21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.

22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.

23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.

24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.

25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.

26. Removes the application of the rooms and meals tax to campsites.

27. Authorizes the state treasurer to refinance certain debt service obligations.

28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.

29. Increases the tax rate imposed on tobacco products other than cigarettes.

30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.

31. Requires the lapse of certain retirement pension benefit-health insurance funds.

32. Requires the lapse of certain judicial council funds for contracts for program services.

33. Requires the lapse of certain appropriations to the state treasurer for debt service.

34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.

35. Establishes a commission to study business taxes.

36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.

37. Increases the license fees for selling animals and birds.

38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.

39. Transfers certain appropriations relating to adequate education grants.

40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.

42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.

43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.

44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.

45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.

46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.

47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.

49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.

50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.

51. Directs the state treasurer to deposit certain fine revenues in the general fund.

52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.

53. Sets the insurance premium tax at 2 percent for all lines of insurance.

54. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.

55. Increases the fees for marriage licenses and requires a portion of the increase to be deposited in the general fund.

56. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

57. Makes appropriation reductions for fiscal year 2011.

Rep. Vaillancourt spoke in favor and yielded to questions.

Rep. Kurk spoke in favor.

Rep. Foose spoke against.

Rep. Wallner requested a roll call; sufficiently seconded.

YEAS 173 NAYS 189

YEAS 173

BELKNAP

Bolster, Peter
Merry, Liz
Russell, David

Boyce, Laurie
Millham, Alida
Swinford, Elaine

Fields, Dennis
Nedeau, Stephen
Wendelboe, Fran

Flanders, Donald
Pilliod, James

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
 Cebrowski, John
 Doherty, Shaun
 Emerton, Larry
 Gorman, Mary
 Hinch, Richard
 Hopper, Gary
 Komi, Richard
 McCarthy, Michael
 O'Brien, William
 Pellegrino, Tony
 Price, Pamela
 Seidel, Carl
 Tahir, Saghir
 Willette, Robert

Belvin, William
 Christensen, Chris
 Dokmo, Cynthia
 Gagne, Larry
 Graham, John
 Hinkle, Peyton
 Infantine, William
 Kurk, Neal
 Mead, Robert
 Ober, Lynne
 Pepino, Leo
 Renzullo, Andrew
 Silva, Peter
 Ulery, Jordan
 Winters, Joel

Bergin, Peter
 Christiansen, Lars
 Drisko, Richard
 Gandia, Laura
 Haefner, Robert
 Hogan, Edith
 Jasper, Shawn
 L'Heureux, Robert
 Messier, Irene
 Ober, Russell III
 Peterson, Andrew
 Rowe, Robert
 Soucy, Connie
 Vaillancourt, Steve

Boehm, Ralph
 Daniels, Gary
 Elliott, Nancy
 Gargas, Carolyn
 Hawkins, Ken
 Holden, Frank
 Katsiantonis, Thomas
 Long, Patrick
 Moran, Edward
 Palmer, Stephen
 Pratt, Calvin
 Ryder, Donald
 Spaulding, Jayne
 Villeneuve, Moe

MERRIMACK

Anderson, Eric
 Kotowski, Frank
 Reed, Dennis

Blankenbeker, Lynne
 Lockwood, Priscilla
 Smith, Todd

Coffey, Jennifer
 McGuire, Carol

Hess, David
 Palfrey, David

ROCKINGHAM

Allen, Mary
 Belanger, Ronald
 Cali-Pitts, Jacqueline
 Crisler, Margaret
 Dowling, Patricia
 Fesh, Robert
 Gould, Kenneth
 Howard, Doreen
 Itse, Daniel
 Lyons, Melissa
 Nevins, Chris
 Priestley, Anne
 Sanders, Elisabeth

Bailey, Clinton
 Bettencourt, David
 Case, Frank
 DeSimone, Debra
 Elliott, Robert
 Flanders, John Sr
 Griffin, Mary
 Hutchinson, Karen
 Kappler, L. Mike
 Major, Norman
 Packard, Sherman
 Quandt, Matt
 Sapareto, Frank

Baldasaro, Alfred
 Bishop, Franklin
 Charron, Gene
 Devine, James
 Emiro, Frank
 Garrity, James
 Hagan, Joseph
 Ingram, Russell
 Katsakiores, Phyllis
 McKinney, Betsy
 Perkins, Amy
 Rausch, James
 Scamman, Stella

Bates, David
 Bridle, Russell
 Comerford, Timothy
 DiFruscia, Anthony
 Ferrante, Beverly
 Gleason, John
 Hoelzel, Kathleen
 Introne, Robert
 Kolodziej, Walter
 McMahon, Charles
 Perkins, Lawrence
 Reagan, John
 Scamman, W.
 Douglas Jr
 Sullivan, James
 Wells, Roger

Sedensky, John
 Tucker, Pamela
 Weyler, Kenneth

Smith, William
 Weare, Everett

Stiles, Nancy
 Welch, David

STRAFFORD

Bickford, David
 Vita, Carol

Groen, Warren

Lauterborn, Elaine

Twombly, James

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 189

BELKNAP

Arsenault, Beth

Johnson, William

Miller, Kate

Stuart, Richard

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan
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CHESHIRE

Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Lerandean, Alfred	Lindsey, Steven	Meador, David
Mitchell, Bonnie	Parkhurst, Henry	Richardson, Barbara	Roberts, Kris
Robertson, Timothy	Sad, Tara	Weber, Lucy	Weed, Charles

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Matheson, Robert	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Pierce, David	Preston, Philip	Smith, Suzanne
Taylor, Kathleen	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandlee, Shannon
Chase, Claudia	Chininis, Alexis	Cote, David	Craig, James
Flurey, Joan	Foster, Linda	Garrity, Patrick	Gidge, Kenneth
Ginsburg, Ruth	Goley, Jeffrey	Hackel, Paul	Haley, Robert
Hammond, Jill	Hardy, Valerie	Harvey, Philip	Harvey, Suzanne
Hodges, Kevin	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Schulze, Joan
Shattuck, Gilman	Shaw, Barbara	Soucy, Timothy	Sullivan, Daniel
Thompson, Robert	Walsh, Robert Jr	Williams, Carol	

MERRIMACK

Bartlett, Michael	Brown, Carole	Clarke, Claire	Davis, Frank
DeJoie, John	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	McMahon, Patricia	Osborne, Jessie
Owen, Derek	Porter, Margaret	Potter, Frances	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Watrous, Rick	Webb, Leigh	Wheeler, Deborah	Williams, Robert
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Hutchinson, Gina	Kepner, Susan	Mann, Maureen	McCarthy, Barbara
McEachern, Paul	Moody, Marcia	Nord, Susi	Pantelakos, Laura

Petterson, Don
Splaine, James

Read, Robin Jr
Webber, Carolyn

Russell, Trinka

Schlachman, Donna

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lewis, Robert
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

Brennan, William
Cyr, James
Hubbard, Pamela
Perry, Robert
Rous, Emma
Spang, Judith
Watters, David

Brown, Larry
Grassie, Anne
Kaen, Naida
Price, Susan
Ryder, Mark
Vachon, Dennis

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia
and floor amendment (1990h) failed.

The House recessed at 12:45 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 1:40 p.m.

REGULAR CALENDAR – SB 450 (CONT'D)

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Bettencourt offered floor amendment (1998h).

Floor Amendment (1998h)

Amend the bill by deleting sections 56-57 and renumbering the original sections 58-104 to read as 56-102, respectively.

Amend the bill by replacing section 64 with the following:

64 Applicability. Sections 60-63 of this act shall apply to taxable periods ending on or after December 31, 2010.

Amend the bill by replacing section 73 with the following:

73 Repeal. Section 72 of this act, relative to special school district meetings, is repealed.

Amend the bill by replacing section 85 with the following:

85 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of health and human services and department of corrections shall work in consultation to facilitate the transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately transferred to allow operation of the transitional housing unit and relocation of programs of the department of health and human services currently residing in the Tobey building. Said transfers shall include, but not be limited to, the use of existing capital and operating budget appropriations to allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to the Anna Philbrook center if the department of health and human services decides to utilize said facility for office space pursuant to section 83 of this act. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

Amend paragraph IV of section 87 of the bill by it with the following:

IV. The committee shall study the transfer of the population of the youth development center to the lakes region facility located in Laconia, and the transfer of the population of the state prison for women to the current facility of the youth development center as required by section 86 of this act. The committee shall also determine all statutory or administrative rule changes that will be necessary to effectuate said transfers.

Amend the bill by replacing section 94 with the following:

94 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 93 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium **tax liability due to the amendment to RSA 400-A:32, I(c) by section 93 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 102 with the following:

102 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 60-65, 67, 68, and 89-92 shall take effect July 1, 2010.

II. Section 45 and 46 of this act shall take effect June 15, 2010.

III. Section 66 of this act shall take effect November 1, 2012.

IV. Sections 73 and 75 of this act shall take effect July 1, 2011.

V. Sections 95-97 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

2010-1998h

AMENDED ANALYSIS

This bill:

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.

13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
30. Requires the lapse of certain retirement pension benefit-health insurance funds.
31. Requires the lapse of certain judicial council funds for contracts for program services.
32. Requires the lapse of certain appropriations to the state treasurer for debt service.
33. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
34. Establishes a commission to study business taxes.
35. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
36. Increases the license fees for selling animals and birds.
37. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
38. Transfers certain appropriations relating to adequate education grants.
39. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
40. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.

41. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.

42. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.

43. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.

44. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.

45. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.

46. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

47. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.

48. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.

49. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.

50. Directs the state treasurer to deposit certain fine revenues in the general fund.

51. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.

52. Sets the insurance premium tax at 2 percent for all lines of insurance.

53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.

54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.

55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

56. Makes appropriation reductions for fiscal year 2011.

Rep. Bettencourt spoke in favor.

Rep. Foote spoke against.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 149 NAYS 164

YEAS 149

BELKNAP

Boyce, Laurie
Nedeau, Stephen
Veazey, John

Fields, Dennis
Russell, David

Flanders, Donald
St. Cyr, Jeffrey

Millham, Alida
Swinford, Elaine

CARROLL

Ahlgren, Christopher
Patten, Betsey

Chandler, Gene
Scala, Dino

Fleck, Joseph
Stevens, Stanley

Knox, J. David
Umberger, Karen

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Stohl, Eric	Tholl, John Jr
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GRAFTON

Gionet, Edmond	Ingbretson, Paul	Ladd, Rick Jr	Ward, Brien
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HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gandia, Laura
Gorman, Mary	Graham, John	Haefner, Robert	Hawkins, Ken
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Infantine, William
Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal	L'Heureux, Robert
McCarthy, Michael	Mead, Robert	O'Brien, William	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Pratt, Calvin
Price, Pamela	Renzullo, Andrew	Rowe, Robert	Ryder, Donald
Seidel, Carl	Silva, Peter	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert
Winters, Joel			

MERRIMACK

Anderson, Eric	Coffey, Jennifer	Hess, David	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	Palfrey, David	Reed, Dennis

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Bridle, Russell
Case, Frank	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Elliott, Robert
Emiro, Frank	Ferrante, Beverly	Fesh, Robert	Flanders, John Sr
Garrity, James	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Howard, Doreen	Ingram, Russell	Introne, Robert
Itse, Daniel	Kappler, L. Mike	Katsakiores, Phyllis	Kolodziej, Walter
Major, Norman	McMahon, Charles	Nevins, Chris	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Priestley, Anne	Quandt, Matt
Rausch, James	Reagan, John	Sanders, Elisabeth	Scamman, Stella
Scamman, W.	Sedensky, John	Smith, William	Sullivan, James
Douglas Jr			
Tucker, Pamela	Weare, Everett	Weyler, Kenneth	

STRAFFORD

Groen, Warren	Twombly, James	Vita, Carol
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SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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NAYS 164

BELKNAP

Arsenault, Beth
Pilliod, James

Johnson, William
Stuart, Richard

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Meador, David
Roberts, Kris

Burridge, Delmar
Carlson, Nancy
Mitchell, Bonnie
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Parkhurst, Henry
Sad, Tara

Butterworth, Timothy
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William

Mears, Lucy

Merrick, Evalyn

Thomas, Yvonne

GRAFTON

Aguiar, James
Friedrich, Carol
Mulholland, Catherine
Preston, Philip

Almy, Susan
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

Ford, Susan
Laliberte, Suzanne
Pierce, David
White, Andrew

HILLSBOROUGH

Beauchamp, Roger
Chase, Claudia
Craig, James
Garrity, Patrick
Hardy, Valerie
Kelley, John
LaPlante, Roland
Lisle, Carolyn
Messier, Irene
Pilotte, Maurice
Schulze, Joan
Walsh, Robert Jr

Boisvert, Ronald
Chininis, Alexis
Flurey, Joan
Gidge, Kenneth
Harvey, Suzanne
Knowles, John
Leishman, Peter
Long, Patrick
Movsesian, Lori
Poznanski, Brian
Shattuck, Gilman
Williams, Carol

Caron, June
Clemons, Jane
Foster, Linda
Goley, Jeffrey
Hodges, Kevin
Knowles, Mary Ann
Levasseur, Nickolas
Mack, Ron
O'Neil, James
Ramsey, Peter
Shaw, Barbara

Chandley, Shannon
Cote, David
Gargas, Carolyn
Hackel, Paul
Jeudy, Jean
Kopka, Angeline
Levesque, Melanie
Marshall, Seth
Peterson, Andrew
Rosenwald, Cindy
Thompson, Robert

MERRIMACK

Bartlett, Michael
Foose, Robert
Osborne, Jessie
Rice, Chip
Tilton, Joy
Webb, Leigh

Brown, Carole
French, Barbara
Owen, Derek
Richardson, Gary
Tupper, Frank
Wheeler, Deborah

Davis, Frank
Gile, Mary
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

DeJoie, John
Kelly, Sally
Potter, Frances
Stetson, William
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Cushing, Robert
Henson, John

Borden, David
Day, Judith
Hutchinson, Gina

Brown, C. Pennington
DiPentima, Rich
Lyons, Melissa

Casey, Kimberley
Gould, Kenneth
Mann, Maureen

McCarthy, Barbara
Pantelakos, Laura
Webber, Carolyn

McEachern, Paul
Pettersen, Don

Moody, Marcia
Read, Robin Jr

Nord, Susi
Splaine, James

STRAFFORD

Brennan, William
Hofemann, Roland
Lauterborn, Elaine
Rollo, Deanna
Vachon, Dennis

Brown, Larry
Horrigan, Timothy
Perry, Robert
Ryder, Mark
Wall, Janet

Browne, Brendon
Hubbard, Pamela
Price, Susan
Schmidt, Peter
Ward, Kenneth

Cyr, James
Kaen, Naida
Rogers, Rose Marie
Smith, Marjorie
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
Skinder, Carla

Gottling, Suzanne
Sweeney, Cynthia

and floor amendment (1998h) failed.

Rep. Welch did not vote and notified the Clerk that he wished to be recorded in favor.

The question now being adoption of the majority committee report of Ought to Pass.

Rep. Packard offered floor amendment (2003h).

Floor Amendment (2003h)

Amend the bill by deleting sections 91-94 and renumbering the original sections 95-104 to read as 91-100, respectively.

Amend the bill by replacing section 92 with the following:

92 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 91 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium **tax liability due to the amendment to RSA 400-A:32, I(c) by section 91 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 100 with the following:

100 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 62-67, 69, and 70 of this act shall take effect July 1, 2010.

II. Sections 45 and 46 of this act shall take effect June 15, 2010.

III. Section 68 of this act shall take effect November 1, 2012.

IV. Sections 75 and 77 of this act shall take effect July 1, 2011.

V. Sections 93-95 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.

32. Requires the lapse of certain judicial council funds for contracts for program services.
 33. Requires the lapse of certain appropriations to the state treasurer for debt service.
 34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
 35. Establishes a commission to study business taxes.
 36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 37. Increases the license fees for selling animals and birds.
 38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 39. Transfers certain appropriations relating to adequate education grants.
 40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
 50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
 51. Directs the state treasurer to deposit certain fine revenues in the general fund.
 52. Sets the insurance premium tax at 2 percent for all lines of insurance.
 53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
 54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
 55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 56. Makes appropriation reductions for fiscal year 2011.
- Rep. Packard spoke in favor.
Rep. Foose spoke against.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 173 NAYS 187

YEAS 173

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Nedeau, Stephen	Russell, David	St. Cyr, Jeffrey
Swinford, Elaine	Veazey, John	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Knox, J. David
McConkey, Mark	Patten, Betsey	Roberts, John	Scala, Dino
Stevens, Stanley	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Stohl, Eric	Tholl, John Jr
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GRAFTON

Gionet, Edmond	Ingretson, Paul	Ladd, Rick Jr	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Belvin, William	Bergin, Peter
Boehm, Ralph	Cebrowski, John	Christensen, Chris	Christiansen, Lars
Daniels, Gary	Day, Russell	Doherty, Shaun	Dokmo, Cynthia
Drisko, Richard	Elliott, Nancy	Emerton, Larry	Gagne, Larry
Gandia, Laura	Gargas, Carolyn	Graham, John	Haefner, Robert
Hawkins, Ken	Hikel, John	Hinch, Richard	Hinkle, Peyton
Hogan, Edith	Holden, Frank	Holden, Rip	Hopper, Gary
Infantine, William	Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal
L'Heureux, Robert	Long, Patrick	McCarthy, Michael	Mead, Robert
Messier, Irene	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Pellegrino, Tony	Pepino, Leo	Peterson, Andrew
Pratt, Calvin	Price, Pamela	Ramsey, Peter	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	DeJoie, John
Hess, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Reed, Dennis	Smith, Todd	

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
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Belanger, Ronald
Case, Frank
DeSimone, Debra
Emiro, Frank
Garritty, James
Hagan, Joseph
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella

Stiles, Nancy
Welch, David

Bettencourt, David
Charron, Gene
Devine, James
Ferrante, Beverly
Gleason, John
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth
Sedensky, John

Tucker, Pamela
Weyler, Kenneth

Bridle, Russell
Crisler, Margaret
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Sapareto, Frank
Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Twombly, James

Groen, Warren
Vita, Carol

Price, Susan

Sprague, Dale

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 187

BELKNAP

Arsenault, Beth
Pilliod, James

Johnson, William
Stuart, Richard

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Burridge, Delmar
Carlson, Nancy
Meador, David
Roberts, Kris

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip
White, Andrew

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Boisvert, Ronald
Campbell, David	Caron, June	Chandley, Shannon	Chase, Claudia
Chininis, Alexis	Clemons, Jane	Cote, David	Craig, James
Flurey, Joan	Foster, Linda	Garrity, Patrick	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Hackel, Paul	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Jeudy, Jean	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Movsesian, Lori	O'Neil, James
Pilotte, Maurice	Poznanski, Brian	Rhodes, Brian	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Sullivan, Daniel
Thompson, Robert	Walsh, Robert Jr	Williams, Carol	Winters, Joel

MERRIMACK

Bartlett, Michael	Brown, Carole	Clarke, Claire	Davis, Frank
Foose, Robert	French, Barbara	Gile, Mary	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	Rice, Chip	Richardson, Gary	Rodd, Beth
Schuetz, Dianne	Shurtleff, Stephen	Stetson, William	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Hutchinson, Gina	Kepner, Susan	Lyons, Melissa	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Pantelakos, Laura	Petterson, Don	Read, Robin Jr	Russell, Trinka
Schlachman, Donna	Splaine, James	Webber, Carolyn	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Hofemann, Roland
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Rous, Emma	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Vachon, Dennis	Wall, Janet	Ward, Kenneth
Watters, David			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

Sweeney, Cynthia
and floor amendment (2003h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Hess offered floor amendment (2004h).

Floor Amendment (2004h)

Amend the bill by deleting sections 97-99 and renumbering the original sections 100-104 to read as 97-101, respectively.

Amend the bill by replacing section 101 with the following:

101 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 62-67, 69, 70, and 91-94 shall take effect July 1, 2010.

II. Section 45 and 46 of this act shall take effect June 15, 2010.

III. Section 68 of this act shall take effect November 1, 2012.

IV. Sections 75 and 77 of this act shall take effect July 1, 2011.

V. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.

7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.

8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.

9. Changes the due date for the Medicaid enhancement tax.

10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.

11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.

12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.

13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.

14. Abolishes the position of animal population control assistant.

15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).

16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.

17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.

18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.

19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.
32. Requires the lapse of certain judicial council funds for contracts for program services.
33. Requires the lapse of certain appropriations to the state treasurer for debt service.
34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
35. Establishes a commission to study business taxes.
36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
37. Increases the license fees for selling animals and birds.
38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
39. Transfers certain appropriations relating to adequate education grants.
40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of

health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.

49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.

50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.

51. Directs the state treasurer to deposit certain fine revenues in the general fund.

52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.

53. Sets the insurance premium tax at 2 percent for all lines of insurance.

54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.

55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

56. Makes appropriation reductions for fiscal year 2011.

Rep. Hess spoke in favor.

Rep. Foose spoke against.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 168 NAYS 190

YEAS 168

BELKNAP

Bolster, Peter
Millham, Alida
Swinford, Elaine

Boyce, Laurie
Nedeau, Stephen
Wendelboe, Fran

Fields, Dennis
Russell, David

Flanders, Donald
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Gargasz, Carolyn
Graham, John	Haefner, Robert	Hawkins, Ken	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Holden, Rip	Hopper, Gary	Infantine, William	Jasper, Shawn
Katsiantonis, Thomas	Kurk, Neal	L'Heureux, Robert	McCarthy, Michael
Mead, Robert	Messier, Irene	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Peterson, Andrew
Pratt, Calvin	Price, Pamela	Renzullo, Andrew	Rowe, Robert
Ryder, Donald	Seidel, Carl	Silva, Peter	Soucy, Connie
Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert	Winters, Joel		

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	Hess, David
Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol	Palfrey, David
Reed, Dennis	Smith, Todd		

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Bridle, Russell
Case, Frank	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Devine, James	DiFruscia, Anthony	Dowling, Patricia
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Gleason, John	Griffin, Mary
Hagan, Joseph	Headd, James	Hoelzel, Kathleen	Howard, Doreen
Hutchinson, Karen	Ingram, Russell	Introne, Robert	Itse, Daniel
Kappler, L. Mike	Katsakiores, Phyllis	Kolodziej, Walter	Lyons, Melissa
Major, Norman	McKinney, Betsy	McMahon, Charles	Nevins, Chris
Packard, Sherman	Perkins, Amy	Perkins, Lawrence	Priestley, Anne
Quandt, Matt	Rausch, James	Reagan, John	Sanders, Elisabeth
Sapareto, Frank	Scamman, Stella	Sedensky, John	Smith, William
Stiles, Nancy	Sullivan, James	Tucker, Pamela	Weare, Everett
Welch, David	Wells, Roger	Weyler, Kenneth	

STRAFFORD

Bickford, David	Groen, Warren	Price, Susan	Sprague, Dale
Twombly, James	Vita, Carol	Watters, David	

SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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NAYS 190

BELKNAP

Arsenault, Beth	Johnson, William	Merry, Liz	Miller, Kate
Pilliod, James	Stuart, Richard		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan
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CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sad, Tara
Weber, Lucy			

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Boisvert, Ronald	Campbell, David	Caron, June	Chandlee, Shannon
Chase, Claudia	Chininis, Alexis	Cote, David	Craig, James
Flurey, Joan	Foster, Linda	Garrity, Patrick	Gidge, Kenneth
Goley, Jeffrey	Hackel, Paul	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Jeady, Jean	Kelley, John	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	LaPlante, Roland	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Long, Patrick
Mack, Ron	Marshall, Seth	Matarazzo, Anthony	Movsesian, Lori
		Sr	
O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Ramsey, Peter	Rhodes, Brian	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr
Williams, Carol			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	Foose, Robert	French, Barbara
Gile, Mary	Kelly, Sally	McMahon, Patricia	Osborne, Jessie
Owen, Derek	Porter, Margaret	Potter, Frances	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	Wheeler, Deborah
Williams, Robert	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Gould, Kenneth
Henson, John	Hutchinson, Gina	Kepner, Susan	Mann, Maureen

McCarthy, Barbara
Pantelakos, Laura
Scamman, W.
Douglas Jr

McEachern, Paul
Pettersen, Don
Schlachman, Donna

Moody, Marcia
Read, Robin Jr
Splaine, James

Nord, Susi
Russell, Trink
Webber, Carolyn

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith

Brennan, William
Cyr, James
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

Brown, Larry
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia

and floor amendment (2004h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Hunt offered floor amendment (2007h).

Floor Amendment (2007h)

Amend the bill by deleting sections 95 and 96 and renumbering the original sections 97-104 to read as 95-102, respectively.

Amend paragraph V as inserted by section 102 of the bill by replacing it with the following:

V. Sections 95-97 of this act shall take effect January 1, 2011.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve

community-based providers of the program, or to contract with public or private entities to operate the program.

11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.

12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.

13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.

14. Abolishes the position of animal population control assistant.

15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).

16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.

17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.

18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.

19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.

20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.

21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.

22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.

23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.

24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.

25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.

26. Removes the application of the rooms and meals tax to campsites.

27. Authorizes the state treasurer to refinance certain debt service obligations.

28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.

29. Increases the tax rate imposed on tobacco products other than cigarettes.

30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.

31. Requires the lapse of certain retirement pension benefit-health insurance funds.

32. Requires the lapse of certain judicial council funds for contracts for program services.

33. Requires the lapse of certain appropriations to the state treasurer for debt service.

34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.

35. Establishes a commission to study business taxes.

36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.

37. Increases the license fees for selling animals and birds.

38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.

39. Transfers certain appropriations relating to adequate education grants.

40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.

42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.

43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.

44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.

45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.

46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.

47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.

49. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.

50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.

51. Directs the state treasurer to deposit certain fine revenues in the general fund.

52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.

53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the 53 of the decedent's taxable estate that exceeds \$2,000,000.

54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.

55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

56. Makes appropriation reductions for fiscal year 2011.

Rep. Hunt spoke in favor.

Rep. Foose spoke against.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 168 NAYS 188

YEAS 168

BELKNAP

Bolster, Peter

Boyce, Laurie

Fields, Dennis

Flanders, Donald

Millham, Alida
St. Cyr, Jeffrey

Nedeau, Stephen
Swinford, Elaine

Pilliod, James
Wendelboe, Fran

Russell, David

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
White, Andrew

Ingbretson, Paul
Williams, Burton

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Cebrowski, John
Day, Russell
Elliott, Nancy
Graham, John
Hogan, Edith
Infantine, William
L'Heureux, Robert
O'Brien, William
Pellegrino, Tony
Ramsey, Peter
Seidel, Carl
Ulery, Jordan

Belvin, William
Christensen, Chris
Doherty, Shaun
Emerton, Larry
Hawkins, Ken
Holden, Frank
Jasper, Shawn
McCarthy, Michael
Ober, Lynne
Peterson, Andrew
Renzullo, Andrew
Silva, Peter
Villeneuve, Moe

Bergin, Peter
Christiansen, Lars
Dokmo, Cynthia
Gagne, Larry
Hikel, John
Holden, Rip
Katsiantonis, Thomas
Mead, Robert
Ober, Russell III
Pratt, Calvin
Rowe, Robert
Soucy, Connie
Willette, Robert

Boehm, Ralph
Daniels, Gary
Drisko, Richard
Gargas, Carolyn
Hinch, Richard
Hopper, Gary
Kurk, Neal
Messier, Irene
Palmer, Stephen
Price, Pamela
Ryder, Donald
Spaulding, Jayne
Winters, Joel

MERRIMACK

Anderson, Eric
Kotowski, Frank
Reed, Dennis

Blankenbeker, Lynne
Lockwood, Priscilla

Coffey, Jennifer
McGuire, Carol

Hess, David
Palfrey, David

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt

Bailey, Clinton
Bettencourt, David
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hagan, Joseph
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James

Baldasaro, Alfred
Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John

Bates, David
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth

Sapareto, Frank

Smith, William
Weare, Everett

Scamman, Stella

Stiles, Nancy
Welch, David

Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Sedensky, John

Tucker, Pamela
Weyler, Kenneth

STRAFFORD

Bickford, David
Twombly, James

Groen, Warren
Vita, Carol

Price, Susan

Sprague, Dale

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 188

BELKNAP

Arsenault, Beth
Stuart, Richard

Johnson, William

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara

Burridge, Delmar
Carlson, Nancy
Meador, David
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William

Mears, Lucy

Merrick, Evalyn

Thomas, Yvonne

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Boisvert, Ronald
Chase, Claudia
Flurey, Joan
Ginsburg, Ruth
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Leishman, Peter
Long, Patrick

Beauchamp, Roger
Campbell, David
Chininis, Alexis
Foster, Linda
Goley, Jeffrey
Hardy, Valerie
Judy, Jean
Komi, Richard
Levasseur, Nickolas
Mack, Ron

Beaulieu, Jane
Caron, June
Cote, David
Garrity, Patrick
Hackel, Paul
Harvey, Philip
Kelley, John
Kopka, Angeline
Levesque, Melanie
Marshall, Seth

Beck, Catriona
Chandlee, Shannon
Craig, James
Gidge, Kenneth
Haley, Robert
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Lisle, Carolyn
Matarazzo, Anthony
Sr
Poznanski, Brian
Shattuck, Gilman

Shaw, Barbara
Walsh, Robert Jr

Sullivan, Daniel
Williams, Carol

Thompson, Robert

Vaillancourt, Steve

MERRIMACK

Bartlett, Michael
DeJoie, John
Hamm, Christine
Owen, Derek
Richardson, Gary
Stetson, William
Walz, Mary Beth
Williams, Robert

Brown, Carole
Foose, Robert
Kelly, Sally
Porter, Margaret
Rodd, Beth
Tilton, Joy
Watrous, Rick
Yeaton, Charles

Clarke, Claire
French, Barbara
McMahon, Patricia
Potter, Frances
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Davis, Frank
Gile, Mary
Osborne, Jessie
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Henson, John
Mann, Maureen
Nord, Susi
Russell, Trinka

Borden, David
Cushing, Robert
Hutchinson, Gina
McCarthy, Barbara
Pantelakos, Laura
Schlachman, Donna

Brown, C. Pennington
Day, Judith
Kepner, Susan
McEachern, Paul
Pettersen, Don
Splaine, James

Cali-Pitts, Jacqueline
DiPentima, Rich
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Webber, Carolyn

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Watters, David

Brennan, William
Cyr, James
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

Brown, Larry
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia

and floor amendment (2007h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Hess offered floor amendment (2029h).

Floor Amendment (2029h)

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

AN ACT making distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.

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

1 Taxation of Interest and Dividends; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

(b) *Partnerships, limited liability companies, associations, and* trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds \$2,400 during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust

comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

2 Taxation of Interest and Dividends; What Taxable. RSA 77:4, III is repealed and reenacted to read as follows:

III. Dividends, other than stock dividends paid in new stock of the partnership, limited liability company, association, or trust issuing the same, on shares in partnerships, limited liability companies, associations, or trusts the beneficial interest in which is represented by transferable shares.

3 New Sections; Taxation of Interests and Dividends; Partnerships and Limited Liability Companies. Amend RSA 77 by inserting after section 14 the following new sections:

77:14-a Partnerships and Limited Liability Companies. Partnerships and limited liability companies having a usual place of business in this state, any member of which is an inhabitant thereof, shall be subject to taxes imposed by this chapter. If any of the members of the partnership or limited liability company are not inhabitants of this state only so much of the income thereof as is proportionate to the aggregate interest of the partners or members who are inhabitants of this state in the profits of the partnership or limited liability company shall be taxed.

77:14-b Partners and Members. The tax shall be assessed on such a partnership or limited liability company by the name under which it does business, and the partners or members shall not be taxed with respect to the taxable income derived by them from such a partnership or limited liability company.

77:14-c Members of Partnership or Limited Liability Company Outside the State. An inhabitant of this state who is a member of a partnership or limited liability company having no usual place of business in this state, who receives income from such partnership or limited liability company derived from such a source that it would be taxable if received directly from such source by such partner or member, shall as to such income be subject to the taxes imposed by this chapter.

77:14-d Application of Sections. RSA 77:14-a to 77:14-d shall apply, so far as apt, to associations and trusts, but not to partnerships, limited liability companies, associations, and trusts the beneficial interest in which is represented by transferable shares.

4 Repeal. RSA 77:1-a, relative to definitions, is repealed.

5 Applicability. This act shall apply for taxable periods ending on or after December 31, 2010.

6 Effective Date. This act shall take effect July 1, 2010.

AMENDED ANALYSIS

This bill makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.

Rep. Hess spoke in favor.

Rep. Foose spoke against.

Rep. Hess requested a roll call; sufficiently seconded.

YEAS 170 NAYS 191

YEAS 170

BELKNAP

Bolster, Peter
Millham, Alida
Swinford, Elaine

Boyce, Laurie
Nedeau, Stephen
Wendelboe, Fran

Fields, Dennis
Russell, David

Flanders, Donald
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
McConkey, Mark

Chandler, Gene
Patten, Betsey

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

Stevens, Stanley

Umberger, Karen

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Boehm, Ralph
Christiansen, Lars
Dokmo, Cynthia
Gagne, Larry
Haefner, Robert
Hinkle, Peyton
Hopper, Gary
Kurk, Neal
Messier, Irene
Palmer, Stephen
Pratt, Calvin
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Beauchamp, Roger
Boisvert, Ronald
Daniels, Gary
Drisko, Richard
Gargasz, Carolyn
Hawkins, Ken
Hogan, Edith
Infantine, William
L'Heureux, Robert
O'Brien, William
Pellegrino, Tony
Price, Pamela
Ryder, Donald
Spaulding, Jayne
Willette, Robert

Belvin, William
Cebrowski, John
Day, Russell
Elliott, Nancy
Gorman, Mary
Hikel, John
Holden, Frank
Jasper, Shawn
McCarthy, Michael
Ober, Lynne
Pepino, Leo
Ramsey, Peter
Seidel, Carl
Ulery, Jordan

Bergin, Peter
Christensen, Chris
Doherty, Shaun
Emerton, Larry
Graham, John
Hinch, Richard
Holden, Rip
Katsiantonis, Thomas
Mead, Robert
Ober, Russell III
Peterson, Andrew
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Kotowski, Frank
Reed, Dennis

Blankenbeker, Lynne
Lockwood, Priscilla
Smith, Todd

Coffey, Jennifer
McGuire, Carol

Hess, David
Palfrey, David

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Hagan, Joseph
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella

Bailey, Clinton
Bettencourt, David
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Baldasaro, Alfred
Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth
Sedensky, John
Tucker, Pamela
Weyler, Kenneth

Bates, David
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Sapareto, Frank
Smith, William
Weare, Everett

STRAFFORD

Bickford, David	Groen, Warren	Sprague, Dale	Twombly, James
Vita, Carol			

SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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NAYS 191

BELKNAP

Arsenault, Beth	Johnson, William	Merry, Liz	Miller, Kate
Pilliod, James	Stuart, Richard		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan
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CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Roberts, Kris	Robertson, Timothy	Sad, Tara
Weber, Lucy			

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Campbell, David
Caron, June	Chandley, Shannon	Chininis, Alexis	Cote, David
Craig, James	Flurey, Joan	Foster, Linda	Garritty, Patrick
Gidge, Kenneth	Ginsburg, Ruth	Goley, Jeffrey	Hackel, Paul
Haley, Robert	Hammond, Jill	Hardy, Valerie	Harvey, Philip
Harvey, Suzanne	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn
Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony
			Sr
Movsesian, Lori	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Rhodes, Brian	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr
Williams, Carol	Winters, Joel		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	Rice, Chip	Richardson, Gary	Rodd, Beth
Schuett, Dianne	Shurtleff, Stephen	Stetson, William	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Casey, Kimberley	Cushing, Robert	Day, Judith	DiPentima, Rich
Gould, Kenneth	Henson, John	Hutchinson, Gina	Kepner, Susan
Lyons, Melissa	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Moody, Marcia	Nord, Susi	Pantelakos, Laura	Pettersen, Don
Read, Robin Jr	Russell, Trinka	Schlachman, Donna	Splaine, James
Webber, Carolyn			

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Hofemann, Roland
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rous, Emma	Ryder, Mark	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Vachon, Dennis	Wall, Janet
Ward, Kenneth	Watters, David		

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

Sweeney, Cynthia
and floor amendment (2029h) failed.

INTRODUCTION OF GUESTS

Members of Leadership Seacoast, guests of the House.

REGULAR CALENDAR – SB 450 (CONT'D)

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Chandler offered floor amendment (2027h).

Floor Amendment (2027h)

Amend the bill by deleting section 49 and renumbering the original sections 50-104 to read as 49-103, respectively.

Amend the bill by replacing section 56 with the following:

56 Applicability; Tax on Tobacco Products Other than Cigarettes. Section 55 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this section. The tax rate effective on the effective

date of this section shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate of tax shall be due within 90 days of the effective date of this section. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

Amend the bill by replacing section 65 with the following:

65 Applicability. Sections 61-64 of this act shall apply to taxable periods ending on or after December 31, 2010.

Amend the bill by replacing section 76 with the following:

76 Repeal. Section 75 of this act, relative to the special meetings of towns, is repealed.

Amend the bill by replacing section 86 with the following:

86 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of health and human services and department of corrections shall work in consultation to facilitate the transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately transferred to allow operation of the transitional housing unit and relocation of programs of the department of health and human services currently residing in the Tobey building. Said transfers shall include, but not be limited to, the use of existing capital and operating budget appropriations to allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to the Anna Philbrook center if the department of health and human services decides to utilize said facility for office space pursuant to section 84 of this act. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

Amend the bill by replacing section 95 with the following:

95 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 94 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium **tax liability due to the amendment to RSA 400-A:32, I(c) by section 94 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 103 with the following:

103 Effective Date.

I. Sections 10-12, 41-44, 48, 49, 61-66, 68, 69, and 90-93 of this act shall take effect July 1, 2010.

II. Sections 45 and 46 of this act shall take effect June 15, 2010.

III. Section 67 of this act shall take effect November 1, 2012.

IV. Sections 74 and 76 of this act shall take effect July 1, 2011.

V. Sections 96-98 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
25. Removes the application of the rooms and meals tax to campsites.
26. Authorizes the state treasurer to refinance certain debt service obligations.
27. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
28. Increases the tax rate imposed on tobacco products other than cigarettes.
29. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
30. Requires the lapse of certain retirement pension benefit-health insurance funds.
31. Requires the lapse of certain judicial council funds for contracts for program services.
32. Requires the lapse of certain appropriations to the state treasurer for debt service.

33. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
 34. Establishes a commission to study business taxes.
 35. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 36. Increases the license fees for selling animals and birds.
 37. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 38. Transfers certain appropriations relating to adequate education grants.
 39. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 40. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 41. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 42. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 43. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 44. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 45. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 46. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 47. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 48. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
 49. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
 50. Directs the state treasurer to deposit certain fine revenues in the general fund.
 51. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
 52. Sets the insurance premium tax at 2 percent for all lines of insurance.
 53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
 54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
 55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 56. Makes appropriation reductions for fiscal year 2011.
- Rep. Chandler spoke in favor.
- Rep. Marjorie Smith spoke against and yielded to questions.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 173 NAYS 188

YEAS 173

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Merry, Liz	Millham, Alida	Nedeau, Stephen	Pilliod, James
Russell, David	St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran

CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Fleck, Joseph	Knox, J. David	McConkey, Mark	Patten, Betsey
Roberts, John	Scala, Dino	Stevens, Stanley	Umberger, Karen

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Sterling, Franklin Jr			

COOS

Rappaport, Laurence	Remick, William	Stohl, Eric	Tholl, John Jr
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GRAFTON

Gionet, Edmond	Ingretson, Paul	Ladd, Rick Jr	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gagne, Larry	Graham, John
Haefner, Robert	Haley, Robert	Hawkins, Ken	Hikel, John
Hinch, Richard	Hinkle, Peyton	Hogan, Edith	Holden, Frank
Holden, Rip	Hopper, Gary	Infantine, William	Jasper, Shawn
Katsiantonis, Thomas	Kurk, Neal	L'Heureux, Robert	McCarthy, Michael
Mead, Robert	Moran, Edward	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	Hess, David
Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol	Palfrey, David
Reed, Dennis	Rice, Chip	Smith, Todd	Walz, Mary Beth
Yeaton, Charles			

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
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Belanger, Ronald
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, Stella

Stiles, Nancy
Welch, David

Bettencourt, David
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Bishop, Franklin
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Headd, James
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth
Sedensky, John

Tucker, Pamela
Weyler, Kenneth

Cali-Pitts, Jacqueline
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Sapareto, Frank
Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Twombly, James

Groen, Warren
Vita, Carol

Keans, Sandra

Sprague, Dale

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 188

BELKNAP

Arsenault, Beth

Johnson, William

Miller, Kate

Stuart, Richard

CARROLL

Bridgham, Robert

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Meador, David
Roberts, Kris

Burridge, Delmar
Carlson, Nancy
Mitchell, Bonnie
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Parkhurst, Henry
Sad, Tara

Butterworth, Timothy
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
White, Andrew

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Boisvert, Ronald

Beauchamp, Roger
Caron, June

Beaulieu, Jane
Chandley, Shannon

Beck, Catriona
Chininis, Alexis

Cote, David
Garrity, Patrick
Gorman, Mary
Harvey, Philip
Kelley, John
Kopka, Angeline
Levesque, Melanie
Marshall, Seth

Nixon, David
Poznanski, Brian
Schulze, Joan
Thompson, Robert
Winters, Joel

Craig, James
Gidge, Kenneth
Hackel, Paul
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Lisle, Carolyn
Matarazzo, Anthony
Sr

O'Brien, Michael Sr
Ramsey, Peter
Shattuck, Gilman
Vaillancourt, Steve

Flurey, Joan
Ginsburg, Ruth
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Leishman, Peter
Long, Patrick
Messier, Irene

O'Neil, James
Rhodes, Brian
Shaw, Barbara
Walsh, Robert Jr

Foster, Linda
Goley, Jeffrey
Hardy, Valerie
Jeudy, Jean
Komi, Richard
Levasseur, Nickolas
Mack, Ron
Movsesian, Lori

Pilotte, Maurice
Rosenwald, Cindy
Sullivan, Daniel
Williams, Carol

MERRIMACK

Bartlett, Michael
DeJoie, John
Gile, Mary
Osborne, Jessie
Richardson, Gary
Stetson, William
Watrous, Rick

Brown, Carole
DeStefano, Stephen
Hamm, Christine
Owen, Derek
Rodd, Beth
Tilton, Joy
Webb, Leigh

Clarke, Claire
Foose, Robert
Kelly, Sally
Porter, Margaret
Schuett, Dianne
Tupper, Frank
Wheeler, Deborah

Davis, Frank
French, Barbara
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Wallner, Mary Jane
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Henson, John
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Webber, Carolyn

Borden, David
Cushing, Robert
Howard, Doreen
Mann, Maureen
Nord, Susi
Russell, Trinka

Bridle, Russell
Day, Judith
Hutchinson, Gina
McCarthy, Barbara
Pantelakos, Laura
Schlachman, Donna

Brown, C. Pennington
DiPentima, Rich
Kepner, Susan
McEachern, Paul
Pettersen, Don
Splaine, James

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Perry, Robert
Rous, Emma
Spang, Judith
Watters, David

Brennan, William
Cyr, James
Hubbard, Pamela
Price, Susan
Ryder, Mark
Vachon, Dennis

Brown, Larry
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Browne, Brendon
Hofemann, Roland
Lauterborn, Elaine
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia
and floor amendment (2027h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Vaillancourt offered floor amendment (1959h).

Floor Amendment (1959h)

Amend the bill by replacing section 49 with the following:

49 New Subdivision; Optional Local Meals and Rooms Tax, Local Meals Tax, or Local Rooms Tax. Amend RSA 78-A by inserting after section 26 the following new subdivision: Optional Local Meals and Rooms Tax, Local Meals Tax, or Local Rooms Tax

78-A:27 Local Meals and Rooms Tax, Local Meals Tax, or Local Rooms Tax.

I. A municipality may, in accordance with the procedures under RSA 78-A:28, adopt an addition to the meals and rooms tax rate imposed under RSA 78-A:6, to be known as the local meals and rooms tax or the local meals tax or local rooms tax, at a rate not to exceed $\frac{1}{2}$ of the state meals and rooms tax rate to be established by the municipality. A local meals tax shall be imposed only on meals. A local rooms tax shall be imposed only on rooms.

II. The commissioner shall assess, collect, administer, and enforce the local meals and rooms tax, local meals tax, or local rooms tax in accordance with the applicable provisions of this chapter relative to the state meals and rooms tax; except that the revenue collected from the local meals and rooms tax, local meals tax, or local rooms tax shall, after deduction of administrative expenses, be remitted to the treasurer of the municipality imposing the local tax.

78-A:28 Procedure for Adoption and Modification of Local Meals and Rooms Tax, Local Meals Tax, or Local Rooms Tax.

I. Any town or city may adopt the provisions of RSA 78-A:27 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the local meals and rooms tax, local meals tax, or local rooms tax, the amount of such tax, and the manner of its determination, as listed in RSA 78-A:27. If a majority of those voting on the question vote "yes," the tax shall take effect within the town or city, on the date set by the governing body following its adoption.

III. A municipality may modify or rescind the tax provided in RSA 78-A:27 in the manner described in this section.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.

8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the “multiple DWI offender intervention detention center program” as the “multiple DWI offender intervention program,” and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax, local meals tax, or local rooms tax in addition to the state meals and rooms tax.
25. Removes the application of the rooms and meals tax to campsites.
26. Authorizes the state treasurer to refinance certain debt service obligations.
27. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
28. Increases the tax rate imposed on tobacco products other than cigarettes.
29. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
30. Requires the lapse of certain retirement pension benefit-health insurance funds.
31. Requires the lapse of certain judicial council funds for contracts for program services.
32. Requires the lapse of certain appropriations to the state treasurer for debt service.
33. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
34. Establishes a commission to study business taxes.

35. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
36. Increases the license fees for selling animals and birds.
37. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
38. Transfers certain appropriations relating to adequate education grants.
39. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
40. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
41. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
42. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
43. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
44. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
45. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
46. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
47. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
48. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
49. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
50. Directs the state treasurer to deposit certain fine revenues in the general fund.
51. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
52. Sets the insurance premium tax at 2 percent for all lines of insurance.
53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
- 54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.**
55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
56. Makes appropriation reductions for fiscal year 2011.
- Rep. Vaillancourt spoke in favor.
- Rep. Foose spoke against.
- Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 96 NAYS 253

YEAS 96

BELKNAP

Bolster, Peter	Boyce, Laurie	Flanders, Donald	Johnson, William
Nedeau, Stephen	Pilliod, James	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Stevens, Stanley	Umberger, Karen
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CHESHIRE

Johnson, Jane	Roberts, Kris
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COOS

Merrick, Evalyn	Tholl, John Jr
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GRAFTON

Ingbretson, Paul	Ladd, Rick Jr	Ward, Brien
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HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Boehm, Ralph	Boisvert, Ronald
Cebrowski, John	Christiansen, Lars	Clemons, Jane	Daniels, Gary
Doherty, Shaun	Hackel, Paul	Hinch, Richard	Hinkle, Peyton
Infantine, William	Katsiantonis, Thomas	L'Heureux, Robert	Levasseur, Nickolas
Matarazzo, Anthony Sr	Messier, Irene	Nixon, David	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pratt, Calvin	Seidel, Carl
Silva, Peter	Soucy, Connie	Spaulding, Jayne	Thompson, Robert
Ulery, Jordan	Vaillancourt, Steve	Willette, Robert	Winters, Joel

MERRIMACK

Brown, Carole	DeStefano, Stephen	Palfrey, David	Yeaton, Charles
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ROCKINGHAM

Bates, David	Belanger, Ronald	Bettencourt, David	Bishop, Franklin
Bridle, Russell	Case, Frank	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	DiFruscia, Anthony
Emiro, Frank	Ferrante, Beverly	Flanders, John Sr	Gleason, John
Hagan, Joseph	Hoelzel, Kathleen	Howard, Doreen	Hutchinson, Karen
Introne, Robert	Itse, Daniel	Katsakiores, Phyllis	Kolodziej, Walter
Lyons, Melissa	Mann, Maureen	McMahon, Charles	Nevins, Chris
Priestley, Anne	Reagan, John	Russell, Trink	Sanders, Elisabeth
Sapareto, Frank	Sedensky, John	Smith, William	Stiles, Nancy
Tucker, Pamela	Welch, David		

STRAFFORD

Bickford, David	Lauterborn, Elaine	Sprague, Dale	Vita, Carol
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SULLIVAN

Howard, Thomas

NAYS 253

BELKNAP

Fields, Dennis
Russell, David

Merry, Liz
St. Cyr, Jeffrey

Miller, Kate
Stuart, Richard

Millham, Alida
Swinford, Elaine

CARROLL

Bridgham, Robert
Fleck, Joseph
Roberts, John

Buco, Thomas
Knox, J. David
Scala, Dino

Butler, Edward
McConkey, Mark
Wiley, Susan

Chandler, Gene
Patten, Betsey

CHESHIRE

Allen, Peter
Butynski, William
Hunt, John
Meador, David
Robertson, Timothy

Burridge, Delmar
Carlson, Nancy
Laurent, John
Mitchell, Bonnie
Sad, Tara

Butcher, Suzanne
Carr, Daniel
Lerandeau, Alfred
Parkhurst, Henry
Sterling, Franklin Jr

Butterworth, Timothy
Emerson, Susan
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Stohl, Eric

Mears, Lucy
Theberge, Robert

Rappaport, Laurence
Thomas, Yvonne

Remick, William

GRAFTON

Aguiar, James
Friedrich, Carol
Laliberte, Suzanne
Pierce, David
White, Andrew

Almy, Susan
Gionet, Edmond
Mulholland, Catherine
Preston, Philip

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Ford, Susan
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chininis, Alexis
Day, Russell
Flurey, Joan
Gidge, Kenneth
Haefner, Robert
Harvey, Philip
Hogan, Edith
Jasper, Shawn
Knowles, Mary Ann
LaPlante, Roland
Long, Patrick
Mead, Robert
O'Brien, William
Pilotte, Maurice
Renzullo, Andrew
Ryder, Donald
Sullivan, Daniel

Beaulieu, Jane
Caron, June
Christensen, Chris
Dokmo, Cynthia
Foster, Linda
Ginsburg, Ruth
Haley, Robert
Harvey, Suzanne
Holden, Frank
Jeudy, Jean
Komi, Richard
Leishman, Peter
Mack, Ron
Moran, Edward
O'Neil, James
Poznanski, Brian
Rhodes, Brian
Schulze, Joan
Villeneuve, Moe

Beck, Catriona
Chandley, Shannon
Cote, David
Drisko, Richard
Gagne, Larry
Goley, Jeffrey
Hammond, Jill
Hikel, John
Holden, Rip
Kelley, John
Kopka, Angeline
Levesque, Melanie
Marshall, Seth
Movsesian, Lori
Pellegrino, Tony
Price, Pamela
Rosenwald, Cindy
Shattuck, Gilman
Walsh, Robert Jr

Belvin, William
Chase, Claudia
Craig, James
Emerton, Larry
Gargas, Carolyn
Gorman, Mary
Hardy, Valerie
Hodges, Kevin
Hopper, Gary
Knowles, John
Kurk, Neal
Lisle, Carolyn
McCarthy, Michael
O'Brien, Michael Sr
Peterson, Andrew
Ramsey, Peter
Rowe, Robert
Shaw, Barbara
Williams, Carol

MERRIMACK

Anderson, Eric	Bartlett, Michael	Blankenbeker, Lynne	Bouchard, Candace
Clarke, Claire	Coffey, Jennifer	Davis, Frank	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Hess, David
Kelly, Sally	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	Reed, Dennis	Rice, Chip	Richardson, Gary
Rodd, Beth	Schuetz, Dianne	Shurtleff, Stephen	Smith, Todd
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	Wheeler, Deborah
Williams, Robert			

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Borden, David	Brown, C. Pennington
Casey, Kimberley	Cushing, Robert	Day, Judith	DiPentima, Rich
Dowling, Patricia	Elliott, Robert	Fesh, Robert	Garrity, James
Gould, Kenneth	Griffin, Mary	Headd, James	Henson, John
Hutchinson, Gina	Ingram, Russell	Kappler, L. Mike	Kepner, Susan
Major, Norman	McCarthy, Barbara	McEachern, Paul	McKinney, Betsy
Moody, Marcia	Nord, Susi	Packard, Sherman	Pantelakos, Laura
Pettersen, Don	Rausch, James	Scamman, Stella	Scamman, W.
			Douglas Jr
Schlachman, Donna	Splaine, James	Sullivan, James	Weare, Everett
Webber, Carolyn	Wells, Roger	Weyler, Kenneth	

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Groen, Warren
Hofemann, Roland	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Keans, Sandra	Perry, Robert	Price, Susan	Rogers, Rose Marie
Rollo, Deanna	Rous, Emma	Ryder, Mark	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Twombly, James	Vachon, Dennis
Wall, Janet	Watters, David		

SULLIVAN

Cloutier, John	Cunningham, Steven	Donovan, Thomas Jr	Gagnon, Raymond
Gottling, Suzanne	Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim
Osgood, Joe	Rodeschin, Beverly	Skinder, Carla	Sweeney, Cynthia

and floor amendment (1959h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. W. Douglas Scamman offered floor amendment (2001h).

Floor Amendment (2001h)

Amend the bill by deleting sections 52-55 and renumbering the original sections 56-104 to read as 52-100, respectively.

Amend the bill by replacing section 53 with the following:

53 Applicability; Tax on Tobacco Products Other than Cigarettes. Section 52 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner

within 20 days after the effective date of this section. The tax rate effective on the effective date of this section shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate of tax shall be due within 90 days of the effective date of this section. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

Amend the bill by replacing section 62 with the following:

62 Applicability. Sections 58-61 of this act shall apply to taxable periods ending on or after December 31, 2010.

Amend the bill by replacing section 71 with the following:

71 Repeal. Section 70 of this act, relative to special school district meetings, is repealed.

Amend the bill by replacing section 73 with the following:

73 Repeal. Section 72 of this act, relative to the special meetings of towns, is repealed.

Amend the bill by replacing section 83 with the following:

83 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of health and human services and department of corrections shall work in consultation to facilitate the transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately transferred to allow operation of the transitional housing unit and relocation of programs of the department of health and human services currently residing in the Tobey building. Said transfers shall include, but not be limited to, the use of existing capital and operating budget appropriations to allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to the Anna Philbrook center if the department of health and human services decides to utilize said facility for office space pursuant to section 81 of this act. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

Amend the bill by replacing section 92 with the following:

92 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 91 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium **tax liability due to the amendment to RSA 400-A:32, I(c) by section 91 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 100 with the following:

100 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 58-63, 65, 66, and 87-90 shall take effect July 1, 2010.

II. Section 45 and 46 of this act shall take effect June 15, 2010.

III. Section 64 of this act shall take effect November 1, 2012.

IV. Sections 71 and 73 of this act shall take effect July 1, 2011.

V. Sections 93-95 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address

present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.

7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.

8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.

9. Changes the due date for the Medicaid enhancement tax.

10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.

11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.

12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.

13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.

14. Abolishes the position of animal population control assistant.

15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).

16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.

17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.

18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.

19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.

20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.

21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.

22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.

23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.

24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.

25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.

26. Removes the application of the rooms and meals tax to campsites.

27. Increases the tax rate imposed on tobacco products other than cigarettes.

28. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.

29. Requires the lapse of certain retirement pension benefit-health insurance funds.

30. Requires the lapse of certain judicial council funds for contracts for program services.

31. Requires the lapse of certain appropriations to the state treasurer for debt service.
 32. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
 33. Establishes a commission to study business taxes.
 34. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 35. Increases the license fees for selling animals and birds.
 36. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 37. Transfers certain appropriations relating to adequate education grants.
 38. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 39. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 40. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 41. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 42. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 43. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 44. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 45. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 46. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 47. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
 48. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
 49. Directs the state treasurer to deposit certain fine revenues in the general fund.
 50. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
 51. Sets the insurance premium tax at 2 percent for all lines of insurance.
 52. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
 53. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
 54. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 55. Makes appropriation reductions for fiscal year 2011.
- Rep. W. Douglas Scamman spoke in favor.

Rep. Foose spoke against and yielded to questions.
Rep. Graham requested a roll call; sufficiently seconded.

YEAS 179 NAYS 179

YEAS 179

BELKNAP

Bolster, Peter	Boyce, Laurie	Fields, Dennis	Flanders, Donald
Millham, Alida	Nedeau, Stephen	Pilliod, James	Russell, David
St. Cyr, Jeffrey	Swinford, Elaine	Wendelboe, Fran	

CARROLL

Ahlgren, Christopher	Chandler, Gene	Fleck, Joseph	Knox, J. David
McConkey, Mark	Patten, Betsey	Roberts, John	Scala, Dino
Stevens, Stanley	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	Johnson, Jane	Laurent, John
Roberts, Kris	Sterling, Franklin Jr		

COOS

Rappaport, Laurence	Remick, William	Stohl, Eric	Tholl, John Jr
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GRAFTON

Gionet, Edmond	Ingretson, Paul	Ladd, Rick Jr	Ward, Brien
Williams, Burton			

HILLSBOROUGH

Batula, Peter	Beauchamp, Roger	Belvin, William	Bergin, Peter
Boehm, Ralph	Boisvert, Ronald	Cebrowski, John	Christensen, Chris
Christiansen, Lars	Daniels, Gary	Day, Russell	Doherty, Shaun
Dokmo, Cynthia	Drisko, Richard	Elliott, Nancy	Emerton, Larry
Gagne, Larry	Gargasz, Carolyn	Graham, John	Haefner, Robert
Haley, Robert	Hawkins, Ken	Hikel, John	Hinch, Richard
Hinkle, Peyton	Hogan, Edith	Holden, Frank	Holden, Rip
Hopper, Gary	Infantine, William	Jasper, Shawn	Katsiantonis, Thomas
Kurk, Neal	Long, Patrick	McCarthy, Michael	Mead, Robert
Messier, Irene	Moran, Edward	Nixon, David	O'Brien, William
O'Neil, James	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Pepino, Leo	Peterson, Andrew	Pratt, Calvin
Price, Pamela	Ramsey, Peter	Renzullo, Andrew	Rowe, Robert
Ryder, Donald	Seidel, Carl	Silva, Peter	Soucy, Connie
Spaulding, Jayne	Sullivan, Daniel	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert	Winters, Joel	

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Brown, Carole	Coffey, Jennifer
Hess, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Reed, Dennis	Smith, Todd	Walz, Mary Beth

ROCKINGHAM

Allen, Mary	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bettencourt, David	Bishop, Franklin	Bridle, Russell	Case, Frank
Charron, Gene	Comerford, Timothy	Crisler, Margaret	DeSimone, Debra
Devine, James	DiFruscia, Anthony	Dowling, Patricia	Elliott, Robert
Emiro, Frank	Ferrante, Beverly	Fesh, Robert	Flanders, John Sr
Garrity, James	Gleason, John	Gould, Kenneth	Griffin, Mary
Hagan, Joseph	Headd, James	Hoelzel, Kathleen	Howard, Doreen
Ingram, Russell	Introne, Robert	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman	McKinney, Betsy
McMahon, Charles	Nevins, Chris	Packard, Sherman	Perkins, Amy
Perkins, Lawrence	Priestley, Anne	Quandt, Matt	Rausch, James
Reagan, John	Sanders, Elisabeth	Sapareto, Frank	Scamman, Stella
Scamman, W.	Sedensky, John	Smith, William	Stiles, Nancy
Douglas Jr			
Sullivan, James	Tucker, Pamela	Weare, Everett	Welch, David
Wells, Roger	Weyler, Kenneth		

STRAFFORD

Bickford, David	Groen, Warren	Price, Susan	Sprague, Dale
Twombly, James	Vita, Carol		

SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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NAYS 179

BELKNAP

Arsenault, Beth	Johnson, William	Merry, Liz	Miller, Kate
Stuart, Richard			

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan
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CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Caron, June
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Cote, David
Craig, James	Flurey, Joan	Foster, Linda	Garritty, Patrick
Gidge, Kenneth	Ginsburg, Ruth	Goley, Jeffrey	Hackel, Paul
Hammond, Jill	Hardy, Valerie	Harvey, Philip	Harvey, Suzanne
Hodges, Kevin	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Movsesian, Lori	O'Brien, Michael Sr
Pilotte, Maurice	Poznanski, Brian	Rhodes, Brian	Rosenwald, Cindy
Schulze, Joan	Shattuck, Gilman	Shaw, Barbara	Thompson, Robert
Walsh, Robert Jr	Williams, Carol		

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Clarke, Claire	Davis, Frank
DeJoie, John	DeStefano, Stephen	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	McMahon, Patricia
Osborne, Jessie	Owen, Derek	Porter, Margaret	Potter, Frances
Rice, Chip	Richardson, Gary	Rodd, Beth	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Watrous, Rick	Webb, Leigh	Wheeler, Deborah
Williams, Robert	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Hutchinson, Gina	Kepner, Susan	Lyons, Melissa	McCarthy, Barbara
McEachern, Paul	Moody, Marcia	Nord, Susi	Pantelakos, Laura
Petterson, Don	Read, Robin Jr	Russell, Trinka	Schlachman, Donna
Splaine, James	Webber, Carolyn		

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Grassie, Anne	Hofemann, Roland
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Keans, Sandra
Lauterborn, Elaine	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Rous, Emma	Ryder, Mark	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Vachon, Dennis	Wall, Janet	Ward, Kenneth
Watters, David			

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

Sweeney, Cynthia
and floor amendment (2001h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Wendelboe offered floor amendment (1956h).

Floor Amendment (1956h)

Amend the bill by deleting section 88 and renumbering the original sections 89-104 to read as 88-103, respectively.

Amend the bill by replacing section 88 with the following:

88 Committee to Study the Youth Development Center and State Prison for Women.

I. There is established a committee to study the transfer of populations of the youth development center and the state prison for women.

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

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

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

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

IV. The committee shall study the transfer of the population of the youth development center and the transfer of the population of the state prison for women. The committee shall also determine all statutory or administrative rule changes that will be necessary to effectuate said transfers.

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

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

Amend the bill by replacing section 95 with the following:

95 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 94 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional **premium tax liability due to the amendment to RSA 400-A:32, I(c) by section 94 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 103 with the following:

103 Effective Date.

I. Sections 10-12, 41-44, 48, 50, 62-67, 69, 70, and 90-93 shall take effect July 1, 2010.

II. Section 45 and 46 of this act shall take effect June 15, 2010.

III. Section 68 of this act shall take effect November 1, 2012.

IV. Sections 75 and 77 of this act shall take effect July 1, 2011.

V. Sections 96-98 of this act shall take effect January 1, 2011.

VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.

2. Makes the funded family assistance program (TANF) permissive rather than mandatory.

3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.

4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.

32. Requires the lapse of certain judicial council funds for contracts for program services.
 33. Requires the lapse of certain appropriations to the state treasurer for debt service.
 34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
 35. Establishes a commission to study business taxes.
 36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 37. Increases the license fees for selling animals and birds.
 38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 39. Transfers certain appropriations relating to adequate education grants.
 40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 49. Requires the relocation of the populations of the Anna Philbrook center and the Shea Farm transitional housing unit.
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 54. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
 55. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
 56. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 57. Makes appropriation reductions for fiscal year 2011.
- Rep. Wendelboe spoke in favor and yielded to questions.

Rep. Winters spoke in favor.

Rep. Patrick Garrity requested a roll call; sufficiently seconded.

YEAS 212 NAYS 142

YEAS 212

BELKNAP

Arsenault, Beth
Flanders, Donald
Millham, Alida
Stuart, Richard

Bolster, Peter
Johnson, William
Nedeau, Stephen
Wendelboe, Fran

Boyce, Laurie
Merry, Liz
Pilliod, James

Fields, Dennis
Miller, Kate
Russell, David

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butcher, Suzanne
Lerandeau, Alfred
Parkhurst, Henry
Sad, Tara

Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Carlson, Nancy
Meador, David
Roberts, Kris

COOS

Hatch, William

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip
White, Andrew

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne
Williams, Burton

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Boisvert, Ronald
Chininis, Alexis
Flurey, Joan
Gidge, Kenneth
Hackel, Paul
Harvey, Suzanne
Judy, Jean
Knowles, Mary Ann
Leishman, Peter
Long, Patrick
Movsesian, Lori
Pepino, Leo
Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

Beauchamp, Roger
Caron, June
Clemons, Jane
Foster, Linda
Ginsburg, Ruth
Hammond, Jill
Hawkins, Ken
Katsiantonis, Thomas
Komi, Richard
Levasseur, Nickolas
Mack, Ron
Nixon, David
Peterson, Andrew
Rhodes, Brian
Shaw, Barbara
Walsh, Robert Jr

Beaulieu, Jane
Chandlee, Shannon
Cote, David
Gagne, Larry
Goley, Jeffrey
Hardy, Valerie
Hodges, Kevin
Kelley, John
Kopka, Angeline
Levesque, Melanie
Marshall, Seth
O'Brien, Michael Sr
Pilotte, Maurice
Rosenwald, Cindy
Soucy, Connie
Williams, Carol

Beck, Catriona
Chase, Claudia
Craig, James
Garrity, Patrick
Gorman, Mary
Harvey, Philip
Infantine, William
Knowles, John
LaPlante, Roland
Lisle, Carolyn
Moran, Edward
O'Neil, James
Poznanski, Brian
Schulze, Joan
Sullivan, Daniel
Winters, Joel

MERRIMACK

Bartlett, Michael

Bouchard, Candace

Brown, Carole

Clarke, Claire

Davis, Frank
Kelly, Sally
Porter, Margaret
Rodd, Beth
Tilton, Joy
Watrous, Rick
Yeaton, Charles

Foose, Robert
McMahon, Patricia
Potter, Frances
Schuett, Dianne
Tupper, Frank
Webb, Leigh

French, Barbara
Osborne, Jessie
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

Gile, Mary
Owen, Derek
Richardson, Gary
Stetson, William
Walz, Mary Beth
Williams, Robert

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Dowling, Patricia
Hutchinson, Gina
McCarthy, Barbara
Pantelakos, Laura
Schlachman, Donna

Allen, Mary
Cushing, Robert
Flanders, John Sr
Kepner, Susan
McEachern, Paul
Pettersen, Don
Smith, William

Borden, David
Day, Judith
Garritty, James
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Splaine, James

Brown, C. Pennington
DiPentima, Rich
Howard, Doreen
Mann, Maureen
Nord, Susi
Russell, Trinkia
Webber, Carolyn

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Brennan, William
Cyr, James
Hubbard, Pamela
Perry, Robert
Rous, Emma
Spang, Judith
Ward, Kenneth

Brown, Larry
Grassie, Anne
Kaen, Naida
Price, Susan
Ryder, Mark
Sprague, Dale
Watters, David

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Houde-Quimby,
Charlotte

Donovan, Thomas Jr
McClammer, Jim

Gagnon, Raymond
Osgood, Joe

Gottling, Suzanne
Skinder, Carla

NAYS 142

BELKNAP

St. Cyr, Jeffrey

Swinford, Elaine

CARROLL

Ahlgren, Christopher
Patten, Betsey
Umberger, Karen

Chandler, Gene
Roberts, John

Fleck, Joseph
Scala, Dino

McConkey, Mark
Stevens, Stanley

CHESHIRE

Burrige, Delmar
Johnson, Jane

Butterworth, Timothy
Laurent, John

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

COOS

Rappaport, Laurence
Thomas, Yvonne

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter	Belvin, William	Bergin, Peter	Boehm, Ralph
Cebrowski, John	Christensen, Chris	Christiansen, Lars	Daniels, Gary
Day, Russell	Doherty, Shaun	Dokmo, Cynthia	Drisko, Richard
Elliott, Nancy	Emerton, Larry	Gargas, Carolyn	Graham, John
Haefner, Robert	Haley, Robert	Hikel, John	Hinch, Richard
Hogan, Edith	Holden, Frank	Hopper, Gary	Jasper, Shawn
Kurk, Neal	McCarthy, Michael	Mead, Robert	Messier, Irene
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Seidel, Carl	Silva, Peter
Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Willette, Robert			

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Coffey, Jennifer	DeStefano, Stephen
Hess, David	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
Palfrey, David	Reed, Dennis	Smith, Todd	

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Belanger, Ronald	Bettencourt, David
Bridle, Russell	Case, Frank	Charron, Gene	Comerford, Timothy
Crisler, Margaret	DeSimone, Debra	Devine, James	Elliott, Robert
Emiro, Frank	Ferrante, Beverly	Fesh, Robert	Gleason, John
Gould, Kenneth	Griffin, Mary	Hagan, Joseph	Headd, James
Henson, John	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, L. Mike	Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman
McKinney, Betsy	McMahon, Charles	Nevins, Chris	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Priestley, Anne	Quandt, Matt
Rausch, James	Reagan, John	Sanders, Elisabeth	Sapareto, Frank
Scamman, Stella	Scamman, W.	Sedensky, John	Stiles, Nancy
	Douglas Jr		
Sullivan, James	Tucker, Pamela	Weare, Everett	Welch, David
Wells, Roger	Weyler, Kenneth		

STRAFFORD

Bickford, David	Groen, Warren	Twombly, James	Vita, Carol
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SULLIVAN

Cunningham, Steven	Harris, Sandra	Howard, Thomas	Rodeschin, Beverly
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Sweeney, Cynthia

and floor amendment (1956h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Vaillancourt offered floor amendment (1960h).

Floor Amendment (1960h)

Amend the bill by inserting after section 102 the following and renumbering the original sections 103-104 to read as 110-111, respectively:

103 New Chapter; Gaming Oversight Authority and Video Lottery. Amend RSA by inserting after chapter 287-G the following new chapter:

CHAPTER 287-H
GAMING OVERSIGHT AUTHORITY AND VIDEO LOTTERY

287-H:1 Definitions. In this chapter:

- I. "Centralized data provider" means a provider of centralized gambling data, selected by the gaming oversight authority.
- II. "Currency" means legal tender in the form of coins or paper which is officially issued by the United States Treasury, but it does not include any type of credit or debit card.
- III. "Facility applicant" means the entity, which will participate and apply for a facility license, as applicable.
- IV. "Facility license" means the license issued by the gaming oversight authority to a facility licensee.
- V. "Facility licensee" means an applicant who is issued a license by the gaming oversight authority to provide facilities and support to state operated video lottery locations.
- VI. "Gaming oversight authority" means the authority established by RSA 287-H:2.
- VII. "Net machine income" means all cash or other consideration utilized to play a video lottery machine, less all cash or other consideration paid to players of video lottery machines as winnings. Non cashable promotional credits shall be excluded from the calculation.
- VIII. "Technology provider" means any person or entity which designs, manufactures, installs, distributes, or supplies video lottery machines for lease to the state for conducting video lottery games in accordance with this chapter.
- IX. "Token" means the coin, which is not legal tender, sold by a cashier in a face amount equal to the currency paid by a player for the sole purpose of playing a video lottery machine at a licensed facility, which can be exchanged for currency at the same facility where the video lottery machines are located, but it does not include any type of credit or debit card.
- X. "Video lottery employee" means a person employed by the state in the operation of a video lottery location, including without limitation, cashiers; floormen; machine mechanics; security personnel or inspectors; and supervisors or managers. Video lottery employees shall be hired, fired, trained, managed, and supervised by the division of gaming enforcement.
- XI. "Video lottery location" means a state operated facility, within a location provided by the facility licensee, authorized by the local community that contains video lottery machines operated in accordance with this chapter.
- XII. "Video lottery machines" means an electronic, mechanical, or computerized machine licensed by the lottery commission, which upon the insertion of bills, coins, tokens, or any representative of value is available to be played where, by chance or skill, or both, the player may receive cash, cash equivalents, or tokens. Video lottery machines include, but are not limited to, slot machines, video poker machines, and other lottery machines. A machine shall be considered a video lottery machine notwithstanding the use of an electronic credit system making the deposit of bills, coins, or tokens unnecessary. Video lottery machines do not include any redemption slot machines and redemption poker machines as defined in RSA 647 or video poker machines or other similar machines used for amusement purposes only.

287-H:2 Gaming Oversight Authority.

I. There is hereby established the New Hampshire gaming oversight authority. The gaming oversight authority shall consist of the commissioner of the department of safety, the commissioner of the department of resources and economic development, and the commissioner of the department of revenue administration, or their respective designees. The commissioner of the department of safety shall serve as the chairperson of the gaming oversight authority.

II. The gaming oversight authority through delegation to the division of gaming enforcement shall exclusively establish, staff, manage, and operate video lottery locations at facilities licensed under the provisions of this chapter. Facilities provided by the facility licensee shall contain non-gaming resources such as, dining, liquor, hotel, and any other

support resource approved by the gaming oversight authority. The facility licensee shall, at a minimum, provide and pay for heat, electricity, water, sewer, maintenance, and security surveillance infrastructure for the video lottery location for which the facility licensee shall receive remuneration pursuant to RSA 287-H:17, III.

287-H:3 Duties of the Gaming Oversight Authority. The gaming oversight authority shall:

I. Issue licenses only after completion of the investigations set forth in this chapter. All license applications shall be approved or denied no later than 150 days from the date of application. No license issued under the provisions of this chapter shall be assigned, transferred, or sold without a complete application and the approval of the gaming oversight authority and payment of a \$1,000 application fee. No person or entity may own or have an interest in more than one facility license.

II. Collect all license fees imposed upon any applicant and all fees imposed by this chapter.

III. Certify net machine income by inspecting records, conducting audits, having its agents on site, or by other reasonable means.

IV. Establish a central computer system at a location of its choosing linking all video lottery machines to a central computer to ensure control over the video lottery machines.

V. Enter into lease agreements with up to 3 technology providers to provide video lottery machines to the state. Lease agreements shall provide that the technology provider supply the quantity and quality of video lottery machines determined by the gaming oversight authority in a timely and efficient manner, and shall be paid with a percentage of the net machine income, as provided in RSA 287-H:17, IV. The technology provider shall provide all maintenance and service of its video lottery machines at no additional charge or fee to the state. Each agreement shall also provide that the technology provider shall be required to replace 30 percent of its video lottery machines on a yearly basis.

VI. Establish technical standards for approval of video lottery machines, including mechanical and electrical reliability and security against tampering, as it may deem necessary to protect the public from fraud or deception and to ensure the integrity of the operation.

VII. No later than November 1 in each calendar year of this program, provide a report to the fiscal committee of the general court regarding the generation of revenue of video lottery machines. Such report shall include any recommendations for legislation and any community concerns.

VIII. Have the authority to issue subpoenas and compel the attendance of witnesses, to administer oaths, and require testimony of witnesses under oath.

IX. Make and keep records of all proceedings of its public meetings. A copy of the transcript shall be made available to any person upon request and payment of the costs of preparing a copy.

X. Keep and maintain a list of all license applicants and a record of all actions taken with respect to each applicant. A file and record of the actions by the gaming oversight authority shall be open to the public.

XI. Maintain such other files and records as it deems necessary. All records maintained by the gaming oversight authority may be maintained in digital format or other technology, provided that such information is capable of being produced in written form.

XII. Maintain the confidentiality of all information and data obtained by the gaming oversight authority. Such information shall not be revealed in whole or in part except as otherwise provided by law, upon the lawful order of a court of competent jurisdiction, lawfully executed and served grand jury subpoenas, or with the approval of the attorney general, to a duly authorized law enforcement agency.

XIII. Provide notice of the contents of any information or data released, except to a duly authorized law enforcement agency or grand jury subpoena pursuant to paragraph XII,

shall be given to any applicant, registrant, or licensee in a manner prescribed by the rules adopted by the gaming oversight authority.

XIV. If necessary, contract for and procure financial, economic, or security consultants and any other technical and professional services as the authority deem necessary.

XV. Develop and provide an employee training program which shall include, but not be limited to, information on state law, criminal and civil liability, and management practices.

287-H:4 Rulemaking.

I. The gaming oversight authority shall have general responsibility for the implementation of this chapter and shall adopt rules under RSA 541-A relative to:

(a) Hearing and deciding all license applications or recommendations for the suspension or revocation of any license.

(b) Conducting all investigations required with regard to the application, suspension, or revocation of any licensee or applicant.

(c) Conducting hearings pertaining to administrative violations or rules and collecting all penalties assessed under the provisions of this chapter.

(d) Establishing standards and a reasonable fee structure for the licensing and renewal of licenses for technology providers.

(e) Establishing technical standards for approval of video lottery machines, including mechanical and electrical reliability and security against tampering, as it may deem necessary to protect the public from fraud or deception and to ensure the integrity of operation.

(f) Establishing criteria for licensing, suspension, and revocation and the bidding process under RSA 287-H:12.

(g) The value of prizes, which may be awarded, and the cost of play for each video lottery game played on a video lottery machine, as recommended by the technology provider.

(h) Establishing employee qualifications, training, and background investigations for prospective employees.

(i) Standards for the management, and operation, of all video lottery locations.

II. Pending the adoption of rules under RSA 541-A, and notwithstanding RSA 541-A:2, the gaming oversight authority shall adopt interim rules including provisions for the publication of public notice of the period of time for the submission of facility license applications and after public hearing and within 60 days of the effective date of this chapter. Such interim rules shall automatically expire upon the adoption of rules under RSA 541-A.

287-H:5 Restrictions. No member or employee of the gaming oversight authority, the department of revenue administration, the department of resources and economic development, or the department of safety shall have a fiduciary interest in any technology provider, facility licensee, or centralized data provider.

287-H:6 Licensure of Technology Provider and Centralized Data Provider. No technology provider or centralized data provider shall engage in the business of providing, installing, or repairing video lottery machines used in this program without a license issued by the gaming oversight authority.

287-H:7 Restriction on Technology and Centralized Data Provider. No technology provider or centralized data provider or their employees shall be entitled to operate video lottery machines within the state.

287-H:8 Restriction of Minors.

I. No person under the age of 21 shall play a video lottery machine authorized by this chapter.

II. No member or employee of any video lottery location, department of safety, the attorney general's office, or the gaming oversight authority shall knowingly permit a person

under the age of 21 to play or participate in any aspect of the playing of a video lottery machine.

III. Each violation of this section shall be punishable by a fine of no more than \$1,000 and shall be payable by such person, employee, or facility licensee who violates paragraph I or II. If such violator is a state employee, then the employee shall also be subject to appropriate sanctions in conformance with the adopted policies and procedures of the division of gaming enforcement, and the department of administrative services, division of personnel.

287-H:9 Person Misrepresenting Age.

I. A person who falsely represents his age for the purpose of playing video lottery machines shall be guilty of a misdemeanor. Any person who violates any of the provisions of this section shall be fined for his or her first offense a minimum of \$250. No portion of this mandatory minimum fine shall be waived, continued for sentencing, or suspended by the court. A second or subsequent offense shall carry a \$500 minimum fine.

II. Notwithstanding paragraph I or any other law to the contrary, any person who possesses or uses or displays in any manner an identification card, document, license or any other document which falsely represents such person's age for the purpose of playing video lottery machines shall be fined a minimum of \$250. No portion of this mandatory minimum fine shall be waived, continued for sentencing, or suspended by the court. The provisions of this paragraph shall not reduce the maximum penalty which may be imposed for such an offense pursuant to paragraph I. A second or subsequent offense shall carry a \$500 minimum fine.

III. An identification card issued under the provisions of RSA 260:21 shall be withdrawn for violation of this section for 90 days. In addition, the director of the division of motor vehicles shall withdraw, for 90 days, the identification card of any person who allows his or her card to be used or displayed by another person for the purpose of playing video lottery machines.

287-H:10 Penalty for Tampering or Manipulating. Any person who, with the intent to manipulate the outcome, payoff, or operation of a video lottery machine, manipulates the outcome, payoff, or operation of any video lottery machine by physical, electronic, or mechanical means, shall be guilty of a class A felony.

287-H:11 Video Lottery Machine Requirements.

I. No video lottery machine shall be used to conduct gaming unless it is identical in all electrical, mechanical, and other aspects to a model, which has been specifically tested and licensed for use by the gaming oversight authority.

II. All video lottery machines in operation shall pay out as winnings at least 92 percent on an annual basis.

III. The gaming oversight authority shall establish the days and hours of operation of video lottery locations and shall not be restricted by the facility licensee.

IV. No automatic teller machines shall be located within 150 feet of a video lottery machine.

287-H:12 Licenses; Number of Video Lottery Machines.

I. From the effective date of this chapter, the number of video lottery machines statewide shall be limited to 6,000 to be distributed at the discretion and judgment of the gaming oversight authority.

II. The gaming oversight authority shall issue not more than a total of 6 facility licenses in the state of New Hampshire. Four facility licensees shall have 1,200 video lottery machines and 2 facility licensees shall have 600 video lottery machines. Prior to issuing any facility licenses and when there are fewer than 6 facility licenses, the gaming oversight authority shall issue facility licenses pursuant to the bidding process described in paragraph III. Eligibility shall be based on, but not limited to the following:

(a) Evidence provided by the applicant that the applicant has received any required local approval.

- (b) Regional location of prospective facility licensee.
- (c) A detailed economic plan, filed with the gaming oversight authority, for the municipality and the surrounding region where the prospective facility licensee is located with supporting documentation to explain the following:
 - (1) Unemployment in the area.
 - (2) Direct and indirect employment gain.
 - (3) Effect on tourism-based economy.
 - (4) Effect on regional economic development.
 - (5) Tourist trends.
- (d) A business plan, filed with the gaming oversight authority, to support video lottery machines.
- (e) Qualifications of those persons who own or manage the prospective licensee facility.
- (f) Regional population.
- (g) Vehicle traffic.
- (h) Total square footage of the facility and total acreage of such facility.
- (i) Availability of suitable infrastructure.
- (j) Availability of adequate parking.
- (k) Other information that the gaming oversight authority may require.

III. Within 60 days of the effective date of this chapter and whenever there are fewer than 6 facility licensees, the gaming oversight authority shall solicit sealed bids through a competitive bidding process for the available facility license or licenses. The minimum bid for the facility licenses for 600 video lottery machines shall be \$6,000,000. The minimum bid for the facility licenses for 1200 video lottery machines shall be \$12,000,000. If there are more bidders who are equally eligible than the number of available facility licenses, the gaming oversight authority shall conduct a drawing to determine which bidder or bidders will be issued facility licenses. All successful bidders shall pay the balance of the total amount of each bid within 30 days of notification that the bid has been accepted or shall forfeit the gaming facility license.

287-H:13 Application and License Requirements.

I. A facility licensee applicant shall obtain a facility license from the gaming oversight authority. An applicant shall complete and sign an application on the forms prescribed by the gaming oversight authority. The application shall include the full name, residence, date of birth, and other personal identifying information of the applicant, and if a corporation or other form of business enterprise, the same information shall be provided with respect to each partner, trustee, officer, director, and any shareholder or other holder who owns more than 3 percent of the legal or beneficial interests of such entity. All such business entities shall be registered with the secretary of state.

II. The gaming oversight authority shall refer applications to the attorney general who shall conduct an investigation. The investigation may be conducted through any appropriate state or federal law enforcement system and may seek information as to the applicant's financial, criminal, or business background, or any other information which the attorney general, in his or her sole discretion, may deem relevant to the subject's fitness to be associated with the ownership or management of the operation of a facility licensee in New Hampshire, including but not limited to, the subject's character, personal associations, and the extent to which the subject is properly doing business in the manner in which it purports to operate. The attorney general shall report the results of the investigation to the gaming oversight authority within 90 days after the receipt of the application. Notwithstanding any other law to the contrary, the results of any such investigation shall be confidential and shall not be subject to disclosure or to public inspection.

III. In any investigation conducted pursuant to paragraph II, the attorney general or any duly authorized member of the attorney general's staff may subpoena the attendance of witnesses and require the production of such correspondence, documents, books, and papers

as deemed advisable, and for purposes of this section, may administer oaths and take the testimony of witnesses.

287-H:14 Licensure Requirements.

I. No facility license shall be issued by the gaming oversight authority unless the applicant has proven to the satisfaction of the gaming oversight authority by clear and convincing evidence:

(a) The financial stability based on audited financial statements, integrity, and responsibility, considering, without limitation, bank references, business and personal income and disbursement schedules, tax returns and other reports filed with governmental agencies, and business and personal accounting and check records and ledgers.

(b) The trustworthiness and good reputation of all financial backers, investors, mortgagees, bondholders, and holders of indentures, notes and other evidences of indebtedness of the applicant.

(c) The good character, honesty and integrity, considering, without limitation, information pertaining to reputation, criminal record, business activities, and financial affairs covering at least the 10-year period immediately preceding the filing of the application.

(d) In addition, no facility license shall be issued by the gaming oversight authority to any applicant unless the applicant has proven to the satisfaction of the gaming oversight authority by clear and convincing evidence that each director, officer, or similar principal employee and each direct or indirect owner satisfies the standards for licensure contained in RSA 287-H:13.

(e) The gaming oversight authority may, in its discretion, waive the qualification requirement for any such person who is not significantly involved in the activities of the applicant, does not have the ability to significantly influence or control the applicant, or for other good cause, only when written justification is provided.

(f) Except as provided in this chapter, no person who owns, directly or indirectly, legally or beneficially, 5 percent or less of the equity securities or 50 percent or less of the outstanding debt securities of a publicly traded holding company of an applicant for a facility license shall be required to be qualified pursuant to the provisions of this section prior to the issuance of such a license to the applicant.

(g) If a facility licensee has 25 or fewer holders of its equity securities, either directly or indirectly, legally or beneficially, then each such holder shall satisfy the standards of this chapter.

II. No technology provider's license shall be issued by the gaming oversight unless the applicant has demonstrated to the satisfaction of the gaming oversight authority by clear and convincing evidence that it satisfies the standards contained in paragraph I of this section. The gaming oversight authority shall establish the form of application that shall be completed by each applicant for a technology provider's license. Each technology provider license applicant shall be subject to the investigation set forth in RSA 287-H:13 except that all investigatory reports shall be provided to the gaming oversight authority.

III. All information and data required by the gaming oversight authority, or the division of gaming enforcement to be furnished pursuant to this chapter, or which may otherwise be obtained by the gaming oversight authority, or the division of gaming enforcement in the performance of their duties under this chapter, except information regarding net machine income, shall be considered to be confidential and shall not be revealed in whole or in part except as otherwise provided by law, or upon the lawful order of a court of competent jurisdiction, or with the approval of attorney general to a duly authorized law enforcement agency.

IV. No licensee or any individual or entity that is an owner of, or has a financial interest in or with the licensee shall be permitted to make a political contribution as defined by RSA 664:2, VIII.

287-H:15 License and Investigation Fees. A non-refundable license application fee for each class or type of license to be issued under this chapter shall be \$1,000. Renewal fees shall be \$1,000 for each class or type of license. Upon application for a facility license, the applicant shall pay a one-time fee of 10 percent of the applicant's bid amount under RSA 287-H:12 which will be used by the gaming oversight authority as start-up capital at each location for training and an initial bank. If the facility license applicant is not issued a license under RSA 287-H:12, the one-time application fee shall be returned to the applicant by the gaming oversight authority. If the facility license applicant is issued a license under RSA 287-H:12, the one-time application fee shall be subtracted from the amount of the bid owed by the applicant. Upon issuance of a facility license, the facility licensee shall pay the amount of bid owed to the gaming oversight authority. Fifteen percent of such amount shall be used by the gaming oversight authority as start-up capital at each location for training and an initial bank and 75 percent shall be deposited in the general fund.

287-H:16 Term of License. Any facility license or technology provider's license issued pursuant to this chapter and any renewal thereof shall be valid for 5 years unless earlier suspended or revoked by the gaming oversight authority. All licenses issued under this chapter shall be issued as a privilege and not by right. No person or entity may claim any property right to, or in conjunction with, any license issued under this chapter. The gaming oversight authority shall be informed within 10 days of any anticipated change in ownership or stockholders of a licensee that would normally be subject to investigation and licensing requirements in RSA 287-H:15. Failure to inform the gaming oversight authority of said anticipated changes shall result in license revocation.

287-H:17 Distribution of Net Income; Machine Income Fund. There is hereby established a machine income fund in the office of the state treasurer to be administered by the state treasurer. The fund shall be nonlapsing and continually appropriated to the state treasurer for the purposes set forth in this section. The state treasurer shall distribute the funds on the fifth of each month as follows:

- I. Sixty percent of the net machine income shall be deposited in the general fund.
- II. Thirteen percent of the net machine income shall be paid to the gaming oversight authority to be used to pay for the establishment, administration, and operation of the division of gaming enforcement.
- III. Eighteen percent of the net machine income shall be paid to the facility licensee as a gross lease.
- IV. Six percent of the net machine income shall be paid to the technology provider for the leasing and maintenance of the video lottery machines.
- V. Two percent of the net machine income shall be paid to the centralized data provider to carry out the responsibilities outlined in this chapter.
- VI. One percent of the net machine income shall be paid to the city or town where the facility licensee facility is located.

287-H:18 Gaming Oversight.

I. The gaming oversight authority or the division of gaming enforcement shall be present at all facility licensee location at which video lottery machines are operated by the state at all times whether the facility is open to the public or not.

II. The division of gaming enforcement shall be present at all times when a video lottery machine is opened to remove or insert any drop box, hopper, or other mechanism containing money, tokens, or other items of value. The division of gaming enforcement shall be present in the count room at all times that money, tokens, or other items of value utilized in video lottery machines are counted.

287-H:19 Hearings; Investigations; False Statement; Enforcement Policy.

I. The gaming oversight authority shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it.

(a) All hearings before the gaming oversight authority shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the gaming oversight authority shall not be bound by the technical rules of evidence.

(b) The gaming oversight authority, or any member, may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever.

(c) Witnesses summoned before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court. Justices of the peace and all other magistrates empowered to issue subpoenas and compel the attendance of witnesses in the courts of this state shall have the same power to compel their attendance and the production of evidence in any proceeding before the gaming oversight authority.

(d) The gaming oversight authority may apply to the superior court, under the provisions of RSA 491:19-20, to have punished for contempt any witness who refuses to obey a subpoena, or who refuses to be sworn or affirmed to testify, or who is guilty of any contempt after summons to appear.

II. If any false statement is knowingly made in any statement under oath which may be required by the provisions of this chapter or by the gaming oversight authority, the person making the same shall be guilty of perjury. The making of any such false statement in any such application or in any such accompanying statements, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the gaming oversight authority, constitute sufficient cause for the revocation of the license.

III.(a) The gaming oversight authority shall adopt by rule under RSA 541-A a formal enforcement policy for licensees under its jurisdiction. This policy shall specify the disciplinary action which the gaming oversight authority shall take for violations of various laws under its jurisdiction. The enforcement policy shall also specify mitigating and aggravating factors which the gaming oversight authority shall consider in determining penalties for specific actions. The gaming oversight authority shall not suspend or revoke a license until the licensee has been provided a hearing under RSA 541-A.

(b) In applying its enforcement policy, the gaming oversight authority shall establish and enforce specific penalties for specific offenses. The gaming oversight authority shall not apply penalties such as license suspensions for indefinite periods of time.

287-H:20 Suspension or Revocation; Administrative Fines.

I. If any licensee violates any of the provisions of law or any of the rules of the gaming oversight authority adopted under this chapter, the license may be suspended or revoked after notice and hearing, in accordance with RSA 541-A:31-36. Notwithstanding any other provisions of this chapter, the gaming oversight authority, after the appropriate hearing, may impose a fine of a specific sum, which shall not be less than \$1,000 nor more than \$50,000 for any one offense. Such a fine may be imposed instead of, or in addition to, any suspension or revocation of a license by the gaming oversight authority.

II. Notwithstanding any other provision of law, the gaming oversight authority may accept at any time, a petition from the governing body of a city or town who has voted to accept the provisions of RSA 287-H, to revoke a license held by a facility licensee who is located within that community. Any petition filed under this paragraph shall state with particularity all relevant facts and circumstances that support the opinion of the petitioner to revoke a license. A licensee against whom a petition is filed shall be entitled to a public hearing before any decision by the gaming oversight authority. All proceedings conducted in conjunction with this paragraph shall conform to the requirements of RSA 541-A.

III. Appeals from a decision of the gaming oversight authority shall be in accordance with RSA 541.

287-H:21 Penalties. Any person who violates any of the provisions of this chapter or any of the rules adopted pursuant to this chapter shall be guilty of a misdemeanor if a natural

person, or guilty of a felony if any other person. In case of appeal by a licensee, the license of such licensee may be suspended at the discretion of the gaming oversight authority during the pendency of such appeal.

287-H:22 Prosecutions. The gaming oversight authority shall appoint gaming investigators whose primary function shall be the proper prosecution of this chapter. The investigators shall have all the powers of the sheriff in any county, with reference to enforcement of all laws either in cooperation with, or independently of, the officers of any county or town. The gaming oversight authority shall have the primary responsibility for the enforcement of all video lottery gaming. Any person violating the provisions of any law may be prosecuted by the gaming oversight authority or any of its investigators as provided in this section, or by the attorney general, or by county or city attorneys, or by sheriffs or their deputies, or by police officials of towns.

287-H:23 Interference With Gaming Investigators. It shall be unlawful to resist or attempt to resist arrest by a gaming investigator, or to obstruct, or to intimidate or interfere with a gaming investigator in the performance of his or her duty. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor.

287-H:24 Fines.

I. All fines imposed by any court and collected for the violation of the provisions of this chapter shall be paid to the state, county, or town, the officials of which instituted the prosecution.

II. All fines imposed by the gaming oversight authority shall be deposited into the general fund.

287-H:25 Procedures for Adoption by Local Community.

I. Any town or city in which a facility licensee location is situated may adopt the provisions of RSA 287-H, to allow the operation of electronic games of chance, 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 adopt the provisions of RSA 287-H, allowing the operation of electronic games of chance at the licensed facility located within the town and operated by the state?"

II. If a majority of those voting on the question vote "Yes," RSA 287-H shall apply within the city or town.

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.

287-H:26 Declaration of Limited Exemption. Pursuant to section 2 of an act of Congress of the United States entitled "An act to prohibit transportation of gambling devices in interstate and foreign commerce," approved January 2, 1951, being Chapter 1194, 64 Stat. 1134, and also designated as 15 U.S.C. sections 1171-1177, the state of New Hampshire, acting by and through the duly elected and qualified members of its legislature, does hereby, in accordance with and in compliance with the provisions of that section 2 of that act of

Congress, declare and proclaim that section 2 of that act of Congress shall not apply to any gambling device in this state where the transportation of such a device is specifically authorized by and done in compliance with the provisions of this chapter and any rules adopted pursuant to it, and that any such gambling device transported in compliance with state law and rules shall be exempt from the provisions of that act of Congress.

287-H:27 Legal Shipment of Gaming Devices into New Hampshire. All shipments into this state of gaming devices, the registering, recording and labeling of which has been duly made by the manufacturer or dealer in accordance with sections 3 and 4 of an act of Congress of the United States entitled "An act to prohibit transportation of gambling devices in interstate and foreign commerce," approved January 2, 1951, being chapter 1194, 64 Stat. 1134, and also designated as 15 U.S.C. sections 1171-1172, shall be deemed legal shipments into this state.

104 New Paragraph; Attorney General; Gaming Investigators. Amend RSA 21-M:3 by inserting after paragraph VII the following new paragraph:

VIII. The attorney general may hire investigators or contract for investigatory services to facilitate background investigations required under RSA 287-H, and said investigators shall be paid from licensing fees paid under RSA 287-H:15.

105 New Sections; Division of Gaming Enforcement. Amend RSA 21-P by inserting after section 8 the following new sections:

21-P:8-a Division of Gaming Enforcement.

I. There is hereby established a division of gaming enforcement under the supervision of an unclassified director of gaming enforcement whom shall be responsible for the following functions, in accordance with applicable laws:

(a) Manage and hire employees for the day-to-day operation of all video lottery locations ensuring the integrity of the program. Gaming enforcement employees shall be assigned to all locations and will be present at all times whether the location is open or closed.

(b) Investigate violations of RSA 284 or RSA 287-H and the rules adopted under the provisions of RSA 284 or RSA 287-H.

(c) Report the results of any investigation conducted to the gaming oversight authority.

(d) Participate in any hearing conducted by the gaming oversight authority.

II. The commissioner of safety shall organize the division into such units as the commissioner deems necessary.

21-P:8-b Powers and Duties; Gaming Enforcement. The director of gaming enforcement shall be the chief administrative officer of the division of gaming enforcement and shall have the following powers and duties:

I. The director shall manage all operations of the division of gaming enforcement and the daily operation of video lottery locations and administer and enforce the laws with which the division is charged. The director shall report directly to the gaming oversight authority.

II. The director shall have every power enumerated in the laws, whether granted to the director, the division, or any administrative unit of the division. In accordance with these provisions, the director shall:

(a) Biennially compile a comprehensive program budget which reflects all fiscal matters related to the operation of the division and each program and activity of the division.

(b) Adopt all rules of the division with approval of the gaming oversight authority, pursuant to RSA 541-A.

(c) Exercise general supervisory and appointing authority over all division employees, subject to applicable personnel statutes and rules.

(d) Delegate authority to subordinates as the director deems necessary and appropriate, except that rulemaking authority shall not be delegated. All such delegations

shall be made in writing, shall be disseminated, shall clearly delineate the authority delegated and the limitations thereto, and shall be kept on file in the director's office.

(e) Adopt practices which will improve the efficiency of the division and the provision of services to the citizens of the state.

(f) Provide cooperation, at the request of the heads of administratively attached agencies in order to:

(1) Minimize or eliminate duplication of services and jurisdictional conflicts;

(2) Coordinate activities and resolve problems of mutual concern; and

(3) Resolve by agreement the manner and extent to which the division shall provide budgeting, recordkeeping and related clerical assistance to administratively attached agencies.

(g) Give bond, and require division directors to give bond, to the state as specified in RSA 93-B.

(h) Where functions of divisions overlap or a function assigned to one division could better be performed by another division, recommend appropriate legislation to the next regular session of the general court.

III. The director shall adopt such reasonable internal practices and procedures, which shall not be considered rules subject to the provisions of RSA 541-A, as may be necessary to carry out the duties of the division and its divisions, consistent with this chapter, including without limitation a comprehensive manual of procedures for the operation of video lottery locations.

IV. The director may not accept, on behalf of the division, any grants of money without first obtaining the express consent of the fiscal committee of the general court established by RSA 14:30-a.

V. The director shall have the authority to adopt rules, pursuant to RSA 541-A, necessary to assure the continuation or granting of federal funds or other assistance not otherwise provided for by law.

VI. The director may enter into contracts for services, supplies, or other needs of the division.

VII. The director shall report annually to the gaming oversight authority with respect to the division's operation for the preceding year, and render such other reports as the governor and council, the general court, or the gaming oversight authority shall from time to time request.

VIII. The director shall develop, publish, and periodically revise an annual comprehensive plan for the division which shall indicate, among other things, the division's goals, objectives, resources, current conditions, and needs. The director shall annually submit such comprehensive plan to the gaming oversight authority.

IX. The director, the gaming oversight authority, the commissioner of the department of safety, and if necessary, the sweepstakes commission shall jointly establish procedures for sharing data, background investigation, technology and technology providers, and facilities. These procedures shall not be considered rules subject to RSA 541-A and shall be established so as to ensure compliance with state and federal confidentiality and privacy laws.

X. If this section conflicts with other powers and duties specifically granted by statute to the director, the specific powers and duties shall control. If this section conflicts with other statutes specifically limiting the powers of the director, the specific limitations shall control.

106 Director of Gaming Enforcement; Salary. The salary for the unclassified position authorized in section 105 of this act shall be established as provided in RSA 14:14-c, RSA 17-A:7, and RSA 94:1-d.

107 New Subparagraph; Authorized Video Lottery of Games of Chance Machines Not Prohibited. Amend RSA 647:2, V by inserting after subparagraph (c) the following new subparagraph:

(d) Video lottery machines authorized pursuant to RSA 287-H.

108 New Subparagraph; Application of Receipts; Machine Income Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (299) the following new subparagraph:

(300) Moneys deposited in the machine income fund established under RSA 287-H:17.

109 New Paragraph; Facility Licensee; Cocktail Lounge License. Amend RSA 178:20, by inserting after paragraph V the following new paragraph:

VI. The liquor commission may issue a special license to a person holding a facility license as defined by RSA 287-H:1, IV. Such special license shall allow the sale of liquor, wine, and beverages within the facility licensee location, including dining room, function room, gaming room, lounge, or any other area designated by the commission, without regard to whether meals are served therein, but only during the time gaming is being conducted under RSA 287-H. A person licensed under this section shall comply with RSA 179:44. Amend the bill by deleting section 50 and renumbering the remaining sections 51-111 to read as 50-110, respectively.

Amend the bill by replacing section 65 with the following:

65 Applicability. Sections 61-64 of this act shall apply to taxable periods ending on or after December 31, 2010.

Amend the bill by replacing section 76 with the following:

76 Repeal. Section 75 of this act, relative to the special meetings of towns, is repealed. Amend the bill by replacing section 95 with the following:

95 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 94 of this act shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional premium **tax liability due to the amendment to RSA 400-A:32, I(c) by section 94 of this act shall be paid in full to the insurance commissioner by June 15, 2010.**

Amend the bill by replacing section 110 with the following:

110 Effective Date.

- I. Sections 10-12, 41-44, 48, 61-66, 68, 69 and 90-93, shall take effect July 1, 2010.
- II. Sections 45 and 46 of this act shall take effect June 15, 2010.
- III. Section 67 of this act shall take effect November 1, 2012.
- IV. Sections 74 and 76 of this act shall take effect July 1, 2011.
- V. Sections 96-98 of this act shall take effect January 1, 2011.
- VI. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.

9. Changes the due date for the Medicaid enhancement tax.
10. Renames the “multiple DWI offender intervention detention center program” as the “multiple DWI offender intervention program,” and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.
12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Removes the application of the rooms and meals tax to campsites.
26. Authorizes the state treasurer to refinance certain debt service obligations.
27. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
28. Increases the tax rate imposed on tobacco products other than cigarettes.
29. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
30. Requires the lapse of certain retirement pension benefit-health insurance funds.
31. Requires the lapse of certain judicial council funds for contracts for program services.
32. Requires the lapse of certain appropriations to the state treasurer for debt service.
33. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
34. Establishes a commission to study business taxes.
35. Reduces the state’s contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
36. Increases the license fees for selling animals and birds.

37. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
38. Transfers certain appropriations relating to adequate education grants.
39. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
40. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
41. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
42. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
43. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
44. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
45. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
46. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
47. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
48. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
49. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
50. Directs the state treasurer to deposit certain fine revenues in the general fund.
51. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
52. Sets the insurance premium tax at 2 percent for all lines of insurance.
53. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
54. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
55. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
- 56.(a) Regulates video gaming, establishes the division of gaming enforcement, and establishes the gaming oversight authority.
- (b) Determines the disbursement of all proceeds of video gambling with 60 percent of the proceeds distributed to the general fund.
- (c) Establishes a new fund in the state treasurer's office for machine income.
- (d) Allows facility licensees to receive a cocktail lounge license.
57. Makes appropriation reductions for fiscal year 2011.
- Rep. Vaillancourt spoke in favor.
- Rep. Harding spoke against.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 115 NAYS 242

YEAS 115

BELKNAP

Fields, Dennis	Nedeau, Stephen	Pilliod, James	Russell, David
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CARROLL

Butler, Edward	Knox, J. David	McConkey, Mark	Umberger, Karen
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CHESHIRE

Butynski, William	Lerandean, Alfred	Roberts, Kris
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COOS

Mears, Lucy	Remick, William	Theberge, Robert	Thomas, Yvonne
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GRAFTON

Gionet, Edmond	Ingretson, Paul	Laliberte, Suzanne
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HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Caron, June	Chininis, Alexis
Christensen, Chris	Christiansen, Lars	Craig, James	Day, Russell
Dokmo, Cynthia	Flurey, Joan	Goley, Jeffrey	Gorman, Mary
Graham, John	Hackel, Paul	Haley, Robert	Hardy, Valerie
Hawkins, Ken	Hinch, Richard	Holden, Rip	Infantine, William
Knowles, John	Knowles, Mary Ann	Kopka, Angeline	LaPlante, Roland
Levasseur, Nickolas	Lisle, Carolyn	McCarthy, Michael	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Ober, Russell III	Pellegrino, Tony
Pepino, Leo	Ramsey, Peter	Renzullo, Andrew	Shaw, Barbara
Silva, Peter	Thompson, Robert	Vaillancourt, Steve	Williams, Carol

MERRIMACK

Bouchard, Candace	Clarke, Claire	DeJoie, John	Kelly, Sally
Kotowski, Frank	Osborne, Jessie	Reed, Dennis	Schuett, Dianne
Tilton, Joy	Webb, Leigh		

ROCKINGHAM

Bates, David	Belanger, Ronald	Bridle, Russell	Case, Frank
Charron, Gene	Crisler, Margaret	DeSimone, Debra	Devine, James
DiFrancia, Anthony	Dowling, Patricia	Emiro, Frank	Ferrante, Beverly
Flanders, John Sr	Gleason, John	Griffin, Mary	Hagan, Joseph
Hutchinson, Karen	Ingram, Russell	Kappler, L. Mike	Katsakiores, Phyllis
Lyons, Melissa	McEachern, Paul	McMahon, Charles	Priestley, Anne
Rausch, James	Sapareto, Frank	Smith, William	Stiles, Nancy
Weare, Everett	Webber, Carolyn	Wells, Roger	Weyler, Kenneth

STRAFFORD

Berube, Roger	Bickford, David	Browne, Brendon	Cyr, James
Hofemann, Roland	Lauterborn, Elaine	Rollo, Deanna	Sprague, Dale

Twombly, James

Ward, Kenneth

SULLIVAN

Cloutier, John
Howard, Thomas

Donovan, Thomas Jr

Gagnon, Raymond

Harris, Sandra

NAYS 242

BELKNAP

Arsenault, Beth
Johnson, William
St. Cyr, Jeffrey

Bolster, Peter
Merry, Liz
Stuart, Richard

Boyce, Laurie
Miller, Kate
Swinford, Elaine

Flanders, Donald
Millham, Alida
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
Fleck, Joseph
Stevens, Stanley

Bridgham, Robert
Patten, Betsey
Wiley, Susan

Buco, Thomas
Roberts, John

Chandler, Gene
Scala, Dino

CHESHIRE

Allen, Peter
Carlson, Nancy
Johnson, Jane
Mitchell, Bonnie
Sad, Tara

Burridge, Delmar
Carr, Daniel
Laurent, John
Parkhurst, Henry
Sterling, Franklin Jr

Butcher, Suzanne
Emerson, Susan
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Butterworth, Timothy
Hunt, John
Meador, David
Robertson, Timothy

COOS

Hatch, William
Tholl, John Jr

Merrick, Evalyn

Rappaport, Laurence

Stohl, Eric

GRAFTON

Aguiar, James
Ford, Susan
Ladd, Rick Jr
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip
Ward, Brien

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne
White, Andrew

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen
Williams, Burton

HILLSBOROUGH

Batula, Peter
Campbell, David
Cote, David
Elliott, Nancy
Gargas, Carolyn
Haefner, Robert
Hikel, John
Holden, Frank
Kelley, John
Long, Patrick

Beck, Catriona
Cebrowski, John
Daniels, Gary
Emerton, Larry
Garritty, Patrick
Hammond, Jill
Hinkle, Peyton
Hopper, Gary
Komi, Richard
Mack, Ron

Belvin, William
Chandley, Shannon
Doherty, Shaun
Foster, Linda
Gidge, Kenneth
Harvey, Philip
Hodges, Kevin
Jasper, Shawn
Kurk, Neal
Marshall, Seth

Bergin, Peter
Chase, Claudia
Drisko, Richard
Gagne, Larry
Ginsburg, Ruth
Harvey, Suzanne
Hogan, Edith
Jeudy, Jean
Levesque, Melanie
Matarazzo, Anthony
Sr
Movsesian, Lori
Peterson, Andrew
Price, Pamela

Mead, Robert
O'Brien, William
Pilotte, Maurice

Messier, Irene
Ober, Lynne
Poznanski, Brian

Moran, Edward
Palmer, Stephen
Pratt, Calvin

Rhodes, Brian
Schulze, Joan
Spaulding, Jayne
Walsh, Robert Jr

Rosenwald, Cindy
Seidel, Carl
Sullivan, Daniel
Willette, Robert

Rowe, Robert
Shattuck, Gilman
Ulery, Jordan
Winters, Joel

Ryder, Donald
Soucy, Connie
Villeneuve, Moe

MERRIMACK

Anderson, Eric
Coffey, Jennifer
French, Barbara
Kidder, David
Owen, Derek
Rice, Chip
Smith, Todd
Watrous, Rick

Bartlett, Michael
Davis, Frank
Gile, Mary
Lockwood, Priscilla
Palfrey, David
Richardson, Gary
Tupper, Frank
Wheeler, Deborah

Blankenbeker, Lynne
DeStefano, Stephen
Hamm, Christine
McGuire, Carol
Porter, Margaret
Rodd, Beth
Wallner, Mary Jane
Williams, Robert

Brown, Carole
Foose, Robert
Hess, David
McMahon, Patricia
Potter, Frances
Shurtleff, Stephen
Walz, Mary Beth
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Borden, David
Cushing, Robert
Fesh, Robert
Henson, John
Introne, Robert
Major, Norman
Moody, Marcia
Pantelakos, Laura
Quandt, Matt
Sanders, Elisabeth

Allen, Mary
Brown, C. Pennington
Day, Judith
Garrity, James
Hoelzel, Kathleen
Itse, Daniel
Mann, Maureen
Nevins, Chris
Perkins, Amy
Read, Robin Jr
Scamman, Stella

Baldasaro, Alfred
Casey, Kimberley
DiPentima, Rich
Gould, Kenneth
Howard, Doreen
Kepner, Susan
McCarthy, Barbara
Nord, Susi
Perkins, Lawrence
Reagan, John
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James

Bettencourt, David
Comerford, Timothy
Elliott, Robert
Headd, James
Hutchinson, Gina
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Pettersen, Don
Russell, Trink
Schlachman, Donna
Tucker, Pamela

Sedensky, John
Welch, David

Splaine, James

STRAFFORD

Brown, Larry
Horrigan, Timothy
Perry, Robert
Ryder, Mark
Vachon, Dennis

Burke, Rachel
Hubbard, Pamela
Price, Susan
Schmidt, Peter
Vita, Carol

Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Smith, Marjorie
Wall, Janet

Groen, Warren
Keans, Sandra
Rous, Emma
Spang, Judith
Watters, David

SULLIVAN

Cunningham, Steven

Gottling, Suzanne

Houde-Quimby,
Charlotte

McClammer, Jim

Osgood, Joe
and floor amendment (1960h) failed.

Rodeschin, Beverly

Skinder, Carla

Sweeney, Cynthia

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Kurk offered minority committee amendment (1963h).

Minority Amendment (1963h)

Amend the bill by replacing all after section 51 with the following:

52 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other law to the contrary, for the fiscal year ending June 30, 2010, the department of

administrative services shall transfer funds from the following accounts or funds maintained separately on the books of the state to the general fund in the following amounts:

Account/Fund	Amount Transferred to General Fund
Statewide Public Boat Access Fund, RSA 233-A:13	\$500,000
Nitrogen Oxide Emissions Reduction Fund, RSA 125-J:13, II	\$90,000
Laboratory Equipment Fund, RSA 131:3-a, II	\$100,000
New Hampshire Hazardous Waste Cleanup Fund, RSA 147-B:3	\$100,000
Default Bench Warrant Fund, RSA 263:56-d	\$100,000
Fire Standards and Training and Emergency Medical Services Fund, RSA 21-P:12-d	\$1,500,000
Recount Administrative and Fee Account, RSA 660:31	\$110,000
Reflectorized Plates Inventory Fund, RSA 228:25	\$250,000
Education Credentialing Fund, RSA 186:11, X	\$250,000
Sludge Analysis Fund, RSA 485-A:4, XIV-c	\$25,000
Wastewater Plant Operator Certification Fund, RSA 485-A:7-a	\$75,000

53 Operating Budget; Lapse of Appropriation. New Hampshire Retirement System; Retirement Pension Benefit; Health Insurance. Amend 2009, 143:1, 01, 59, 59, 590510, 1052, class 064, footnote F to read as follows:

~~[*064 F. This appropriation shall not lapse until June 30, 2011]~~

54 Operating Budget. Lapse of Appropriation. Judicial Council; Contracts for Program Services. Amend 2009, 143:1, 02, 07, 070010, 1094, class 102, footnote F to read as follows:

~~[*102 F. This appropriation shall not lapse until June 30, 2011]~~

55 Department of Treasury. Lapse of Appropriation for Debt Service. Amend 2009, 143:1, 01, 38, 38, 380010, 2076, class 043, footnote F and class 044, footnote F to read as follows:

~~[Class Notes, 043 F. This appropriation shall not lapse until on June 30, 2011.~~

~~Class Notes, 044 F. This appropriation shall not lapse until on June 30, 2011.]~~

56 Taxation of Interest and Dividends; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

(b) **Partnerships, limited liability companies, associations, and** trusts, the beneficial interest in which is not represented by transferable shares, whose gross interest and dividend income from all sources exceeds \$2,400 during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.

57 Taxation of Interest and Dividends; What Taxable. RSA 77:4, III is repealed and reenacted to read as follows:

III. Dividends, other than stock dividends paid in new stock of the partnership, limited liability company, association, or trust issuing the same, on shares in partnerships, limited liability companies, associations, or trusts the beneficial interest in which is represented by transferable shares.

58 New Sections; Taxation of Interests and Dividends; Partnerships and Limited Liability Companies. Amend RSA 77 by inserting after section 14 the following new sections:

77:14-a Partnerships and Limited Liability Companies. Partnerships and limited liability companies having a usual place of business in this state, any member of which is an inhabitant thereof, shall be subject to taxes imposed by this chapter. If any of the members of the partnership or limited liability company are not inhabitants of this state only so much of the income thereof as is proportionate to the aggregate interest of the partners or members who are inhabitants of this state in the profits of the partnership or limited liability company shall be taxed.

77:14-b Partners and Members. The tax shall be assessed on such a partnership or limited liability company by the name under which it does business, and the partners or members shall not be taxed with respect to the taxable income derived by them from such a partnership or limited liability company.

77:14-c Members of Partnership or Limited Liability Company Outside the State. An inhabitant of this state who is a member of a partnership or limited liability company having no usual place of business in this state, who receives income from such partnership or limited liability company derived from such a source that it would be taxable if received directly from such source by such partner or member, shall as to such income be subject to the taxes imposed by this chapter.

77:14-d Application of Sections. RSA 77:14-a to 14-d shall apply, so far as apt, to associations and trusts, but not to partnerships, limited liability companies, associations, and trusts the beneficial interest in which is represented by transferable shares.

59 Repeal. RSA 77:1-a, relative to definitions, is repealed.

60 Applicability. Sections 56-59 of this act shall apply to taxable periods ending on or after December 31, 2010.

61 New Chapter; Commission to Study Business Taxes Established. Amend RSA by inserting after chapter 77-E the following new chapter:

CHAPTER 77-F

COMMISSION TO STUDY BUSINESS TAXES

77-F:1 Commission to Study Business Taxes Established.

I. There is a commission established to study business taxes.

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

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

(b) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(c) Five members of the public appointed by the governor, representing the following groups and interests:

(1) Tax experts and accountants;

(2) Small business;

(3) Real estate, finance, and investment; and

(4) Business trade associations.

II. The commission shall study and evaluate:

(a) The present system of business taxation in New Hampshire, including but not limited to the rates and allocation among taxpayers of the business enterprise tax, the business profits tax, and the interest and dividends tax.

(b) Whether there are changes to the present system of business taxes and rates of assessment that should be considered by the legislature in order to:

(1) Ensure fairness and equity in the allocation of business taxes including among similarly situated business entities and taxpayers;

(2) Ensure clear tax laws and synchronization with federal tax laws; and

(3) Continue to provide a business tax environment that enhances the growth of jobs, income in the state, and the transition to clean and renewable energy.

(c) Safe harbors for the reasonable compensation deduction under the business profits tax, including but not limited to:

(1) Safe harbors based on the percentage of the gross selling price on the sale of business assets other than inventory;

(2) The percentage of gross revenues and the percentage of gross business profits using the independent investor return test;

(3) The federal self-employment tax; and

(4) Any other issue related to the reasonable compensation deduction.

(d) Business tax credits and deductions including, but not limited to, net operating losses.

(e) Offering tax credits to insurance companies that create new net jobs in New Hampshire.

III. The commission may solicit and receive testimony and other information from any person or organization with information or expertise relevant to the committee's objective. State agencies shall cooperate with the commission, and provide data, information, reports, and testimony to the commission upon request.

IV. The governor shall appoint a chair from among the members. The first meeting of the commission shall be called by the chair and shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

V. Legislative members of the commission shall receive mileage at the legislative rate when attending meetings of the commission.

VI. The commission shall, following a public hearing on a draft final report, submit a final report on the items included in subparagraphs II(a) and (b) or before December 1, 2010, containing its findings and any recommendations for proposed legislation, to the governor, the president of the senate, the speaker of the house of representatives, the chairs of the house and senate ways and means committees, the house and senate clerks, and the state librarian.

VII. The commission shall, following a public hearing on a draft final report, submit a final report on the items included in subparagraphs II(c) and (d) or before November 1, 2012, containing its findings and any recommendations for proposed legislation, to the governor, the president of the senate, the speaker of the house of representatives, the chairs of the house and senate ways and means committees, the house and senate clerks, and the state librarian.

62 Repeal. RSA 77-F, relative to a commission to study business taxes, is repealed.

63 New Hampshire Retirement System; Employer Contributions; State Payment.
Amend RSA 100-A:16, II(b)-(c) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution," provided that any employer, other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay ~~[75]~~ 80 percent of such total contributions, and ~~[25]~~ 20 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided that, in the case of compensation attributable to extra or special duty, the employer shall pay the full amount of such total contributions; and provided further that, in case of group II members employed by the state, the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraphs (h) and (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution," provided that, in the case of teachers, any employer, other than the state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay ~~[75]~~ 80 percent of such total contributions, and ~~[25]~~ 20 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any

employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state; and provided further that in case of teacher members employed by the state the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

64 Lottery Commission; Report Required. The lottery commission shall submit to the governor, the president of the senate, and the speaker of the house of representatives, no later than November 15, 2010, a comprehensive report describing how it proposes to modernize and update its products within the next 5 years in order to maximize revenues in a competitive lottery environment.

65 Operating Budget; Transfer of Appropriations; Adequate Education Grants; Funds From Education Trust Fund Transferred to General Fund.

I. The commissioner of the department of administrative services is authorized to transfer up to \$80,000,000 from the appropriation in account 06-56-56-560010-7550 class line 086 for fiscal year 2011 into account 06-56-56-560010-7550, class line 086 for fiscal year 2010 on or before June 30, 2010. Account 06-56-56-560010-7550, class line 079 for fiscal year 2010 shall be reduced by the same amount that is transferred into account 06-56-56-560010-7550, class line 086 for fiscal year 2010, and account 06-56-56-560010-7550, class line 079 for fiscal year 2011 shall be increased by the corresponding amount.

II. Notwithstanding RSA 198:39, any funds remaining in the education trust fund as of June 30, 2010 shall be transferred to the general fund as undesignated surplus.

66 Application; Appropriations Reductions; All State Agencies. The reductions required by this act shall be in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

67 Special School District Meetings. Notwithstanding RSA 197:2 and RSA 197:3, for the fiscal year ending June 30, 2011, a special meeting of a school district shall be held upon the majority vote of the school board only for the purpose of addressing changes in catastrophic aid funding which could affect the school district during the 2011 year.

68 Repeal. Section 67 of this act, relative to special school district meetings, is repealed.

69 Special Meeting of Towns for the Fiscal Year Ending June 30, 2011. Notwithstanding any other provision of law to the contrary, for the fiscal year ending June 30, 2011, any town, including those towns that have adopted RSA 40:13 may, by a majority vote of the governing body, call a special meeting without court approval to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget. Such meetings shall be subject to the following:

I. The governing body of such town shall post a notice, which shall include the warrant, in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the meeting. Additional notice shall be published in a newspaper of general circulation in the political subdivision, provided that if there is no newspaper of general circulation in which notice can be published at least 7 days before the date of the meeting, public notice shall be posted in at least one additional place within the political subdivision.

II. The governing body shall hold a public hearing on the proposed warrant articles at the town meeting.

III. The governing body of any town that has adopted the provisions of RSA 40:13 may elect to hold and conduct the meeting in accordance with the provisions of RSA 39 and RSA 40 and other applicable law without regard to RSA 40:13. If the governing body elects to follow the provisions of RSA 40:13, it shall provide at least a 15-day period between the deliberative session and the vote for the purposes of proceedings under this section.

70 Repeal. Section 69 of this act, relative to the special meetings of towns, is repealed.

71 State Agencies; Supplanting General Fund Reductions With Other Funds. For the fiscal year ending June 30, 2011, any state agency may supplant general fund reductions required pursuant to this act with federal and other funds that may become available for that purpose. The department of administrative services shall report to the fiscal committee of the general court on or before July 30, 2010 detailing the use of any such funds.

72 Furloughs Required for Certain State Employees. Nonclassified and unclassified state employees shall take 12 unpaid furlough days during fiscal year 2011.

73 Reductions in Personnel Expenditures. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2011, any reductions in personnel expenditures in an agency shall be distributed proportionately between classified and unclassified employees of such agency. Upon petition by an agency, the fiscal committee of the general court may grant an exemption from this requirement.

74 Vacant Positions; Bumping Rights; Layoffs. Amend 2009, 144:64 to read as follows:

144:64 Department of Administrative Services; Suspension of Bumping Rights.

I. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02 (i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011.

II. The procedure for layoffs of permanent employees pursuant to administrative rule Per 1101.02 (d), prohibiting the layoff of permanent employees while there are temporary fill-in, part-time, or probationary employees serving in the same class of position within the same division of the agency, is hereby suspended from the effective date of this section to June 30, 2011.

III. *The reassignment prior to layoff of classified state employees into vacant but funded positions, pursuant to administrative rule Per 1101.02 (f) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011.*

75 Vacant Positions; Rehiring of Laid Off State Employees. Amend 2009, 144:65, II to read as follows:

II. It is the intent of the general court that any 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 and if he or she meets the minimum qualifications for the position, ***provided however that any position a department or establishment intends to leave vacant shall remain vacant.***

76 New Section; Certain Transfers Prohibited. Amend RSA 9 by inserting after section 16-b the following new section:

9:16-c Certain Transfers Prohibited. Notwithstanding any other provision of law to the contrary, no funds shall be transferred out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.

77 Department of Health and Human Services; Reduction in Appropriation. Amend 2009, 143:9, as amended by 2010, 4:3 to read as follows:

143:9 Department of Health and Human Services; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations from any line by ~~[\$19,559,231]~~ **\$8,676,231** for the biennium ending June 30, 2011. Any direct services to New Hampshire citizens shall be excluded from these reductions unless expressly approved by the fiscal committee of the general court and the governor and council. The department shall provide a quarterly report of reductions made under this section to the fiscal committee of the general court and the governor and council.

78 Transfer of Anna Philbrook Center Residents. Notwithstanding any provision of law to the contrary:

I. The department of health and human services shall transfer all residents of the Anna Philbrook center to the F-Unit wing of New Hampshire hospital. After said transfer is complete, the department shall consider utilizing the Anna Philbrook center for office space as needed by the department, or taking steps to close the facility once vacant.

II. The department of health and human services shall utilize the I-Unit wing of the New Hampshire hospital to provide beds as necessary for adult patients displaced by the transfer of residents of the Anna Philbrook center to the F-Unit wing of New Hampshire hospital pursuant to paragraph I.

79 Shelter Care Services. For the biennium ending June 30, 2011, the department of health and human services shall continue to fund shelter care services at Midway Shelter in Bradford, Antrim Girls Shelter in Antrim, and North Country Shelter Care in Jefferson.

80 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of health and human services and department of corrections shall work in consultation to facilitate the transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately transferred to allow operation of the transitional housing unit and relocation of programs of the department of health and human services currently residing in the Tobey building. Said transfers shall include, but not be limited to, the use of existing capital and operating budget appropriations to allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to the Anna Philbrook center if the department of health and human services decides to utilize said facility for office space pursuant to section 85 of this act. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

81 Youth Development Center and State Prison for Women; Population Transfers.

I. Notwithstanding any provision of law to the contrary, the department of health and human services and department of corrections shall simultaneously transfer the population of the youth development center to suitable properties located at the lakes region facility located in Laconia, and the population of the state prison for women to the current facility of the youth development center by June 30, 2011. Once the populations of the youth development center and state prison for women are transferred to the proposed facilities, the department of corrections shall cease its contracts with Hillsborough and Strafford counties to house female offenders. Notwithstanding any provision of law to the contrary, all functions, positions, powers, duties, shall be appropriately transferred to allow the operation of the facilities for the use required by this section. The departments shall utilize existing capital and operating budget appropriations for renovations of the youth development center and the lakes region facility located in Laconia as necessary to effectuate the transfer of said populations. The transfers provided in this section shall include all of the equipment, books, papers, and records of the departments necessary for the operation of the facilities.

II. The department of health and human services and department of corrections shall work in consultation to develop a plan to effectuate the transfer of said populations. Said plan shall include an estimate of any state general fund savings which will result from said transfers, and shall be submitted to the speaker of the house of representatives, the president of the senate, the fiscal committee of the general court, and the governor and executive councilors on or before September 1, 2010.

82 Committee to Study the Youth Development Center and State Prison for Women.

I. There is established a committee to study the transfer of populations of the youth development center and the state prison for women.

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

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

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

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

IV. The committee shall study the transfer of the population of the youth development center to the lakes region facility located in Laconia, and the transfer of the population of the state prison for women to the current facility of the youth development center as required by section 81 of this act. The committee shall also determine all statutory or administrative rule changes that will be necessary to effectuate said transfers.

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

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

83 Fine Revenues. Notwithstanding the provisions of RSA 262:44, the state treasurer shall deposit into the general fund \$185,000 for fiscal year 2010 and \$760,000 for fiscal year 2011 from fine revenues received under RSA 262:44, I.

84 Prohibition on Delay of Payment or Expenditure. For the fiscal years ending June 30, 2010 and June 30, 2011, no department as defined in RSA 9:1 shall delay a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.

85 Appropriations and Charges. In addition to any other sums appropriated for the fiscal year ending June 30, 2011, the following appropriations and charges are hereby authorized for the following departments and agencies. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

1-14		Department of Administrative Services	
01-14-14-1400-1042	Commissioner - Administration		
01-14-14-1400-1042 020	Current Expenses	General Funds	(\$1,000)
01-14-14-1400-1042 030	Equipment New/Replacement	General Funds	(\$500)
01-14-14-1400-1042 080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1410-1044	Personnel Admin - Support		
01-14-14-1410-1044 020	Current Expenses	General Funds	(\$7,500)
01-14-14-1405-1310	Bureau of Accounting		
01-14-14-1405-1310 030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1405-1310 066	Employee Training	General Funds	(\$1,450)
01-14-14-1405-1330	Financial Reporting		
01-14-14-1405-1330 070	In-State Travel	General Funds	(\$150)
01-14-14-1405-1330 080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1350	Budget Office		
01-14-14-1400-1350 080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1360	Business Office		
01-14-14-1400-1360 020	Current Expenses	General Funds	(\$500)
01-14-14-1420-1370	Financial Data Management		
01-14-14-1420-1370 037	Technology - Hardware	General Funds	(\$25,352)
01-14-14-1420-1370 046	Consultants (non-benefited)	General Funds	(\$30,000)
01-14-14-1400-1375	Risk Management Unit		
01-14-14-1400-1375 020	Current Expenses	General Funds	(\$500)
01-14-14-1400-1375 030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1400-1375 080	Out-of-State Travel	General Funds	(\$1,000)

01-14-14-1415-1440	Plant & Property Administration		
01-14-14-1415-1440 070	In-State Travel	General Funds	(\$250)
01-14-14-1415-1440 080	Out-of-State Travel	General Funds	(\$1,450)
01-14-14-1410-1442	Employee Relations		
01-14-14-1410-1442 020	Current Expenses	General Funds	(\$600)
01-14-14-1415-2040	General Services		
01-14-14-1415-2040023	Heat, Electricity & Water	General Funds	(\$50,000)
01-14-14-1415-2040 080	Out-of-State Travel	General Funds	(\$184)
01-14-14-1415-2042	Bureau Facilities and Assets Management		
01-14-14-1415-2042 030	Equipment New/Replacement	General Funds	(\$5,300)
01-14-14-1415-2045	Bureau of Court Facilities		
01-14-14-1415-2045 023	Heat, Electricity & Water	Other Funds	(\$125,000)
01-14-14-1415-2045 047	Own Forces Maintenance/Building & Grounds	Other Funds	(\$6,500)
01-14-14-1415-2045 070	In-State Travel	Other Funds	(\$5,000)
01-14-14-1415-2045 201	Sheriff's Reimbursement	General Funds	(\$100,000)
01-14-14-1415-2083	M-S Building		
01-14-14-1415-2083 020	Current Expenses	General Funds	(\$10,000)
01-14-14-1415-2083 023	Heat, Electricity & Water	General Funds	(\$25,000)
01-14-14-1415-2083 030	Equipment New/Replacement	General Funds	(\$900)
01-14-14-1415-2083 070	In-State Travel	General Funds	(\$500)
01-14-14-1415-2091	Public Works Bureau		
01-14-14-1415-2091 020	Current Expenses	General Funds	(\$5,000)
01-14-14-1415-2091 030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2091 070	In-State Travel	General Funds	(\$7,500)
01-14-14-1415-2098	Dept. Of Justice Building		
01-14-14-1415-2098 023	Heat, Electricity & Water	General Funds	(\$15,000)
01-14-14-1415-2098 030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2099	Upham Walker Building		
01-14-14-1415-2099 023	Heat, Electricity & Water	General Funds	(\$5,000)
01-14-14-1415-5320	Lakes Region Campus		
01-14-14-1415-5320 070	In-State Travel	General Funds	(\$300)
01-14-14-1400-1356	Retirees Health		
01-14-14-1400-1356 046	Consultants (Non-benefited)	General Funds	(\$7,790)
01-14-14-1400-1356 100	Prescription Drug Expenditures	General Funds	\$1,423,300)
01-14-14-1400-1356 101	Medical Payments To Providers	General Funds	(\$1,010,800)
01-14-14-1400-1356 102	Contracts for Program Services	General Funds	(\$108,110)
01-34	Department of Cultural Resources		
01-34-34-3420-3420	Office of Preservation		
01-34-34-3420-3420 010	Personal Services - Permanent Classified	General Funds	(\$38,560)
01-34-34-3420-3420 060	Benefits	General Funds	(\$31,614)
01-34-34-3420-3441	Federal Preservation Programs		
01-34-34-3420-3441 010	Personal Services - Permanent Classified	Federal Funds	\$38,560
01-34-34-3420-3441 060	Benefits	Federal Funds	\$31,614
01-34-34-3405-7000	Central Library Services		
01-34-34-3405-7000 010	Personal Services - Permanent Classified	General Funds	(\$115,595)
01-34-34-3405-7000 060	Benefits	General Funds	(\$44,512)
01-34-34-3410-1250	State Arts Development		
01-34-34-3410-1250 011	Personal Services - Unclassified	General Funds	(\$32,561)
01-34-34-3410-1250 060	Benefits	General Funds	(\$12,469)
01-84	Dept of Revenue Administration		
01-84-84-8400-7884	Administration		
01-84-84-8400-7884 070	In-State Travel	General Funds	(\$50,000)
01-84-84-8405-1301	Audit Division		

01-84-84-8405-1301 010	Personal Services - Permanent Classified	General Funds(\$319,665)
01-84-84-8405-1301 060	Benefits	General Funds(\$180,391)
01-84-84-8405-1401	Collections Division	
01-84-84-8405-1401 010	Personal Services - Permanent Classified	General Funds (\$47,981)
01-84-84-8405-1401 060	Benefits	General Funds (\$24,135)
01-84-84-8405-1501	Documents Processing Division	
01-84-84-8405-1501 010	Personal Services - Permanent Classified	General Funds(\$126,805)
01-84-84-8405-1501 012	Personal Services - Unclassified	General Funds (\$70,853)
01-84-84-8405-1501 045	Personal Services (Non-Benefited)	General Funds (\$30,000)
01-84-84-8405-1501 060	Benefits	General Funds(\$126,972)
01-84-84-8410-5413	Appraisal Service	
01-84-84-8410-5413 010	Personal Services - Permanent Classified	General Funds (\$33,291)
01-84-84-8410-5413 060	Benefits	General Funds (\$14,258)
01-28	Real Estate Commission	
01-28-28-2800-2054	Real Estate Comm Admin	
01-28-28-2800-2054 010	Personal Services- Permanent Classified	General Funds (\$11,000)
01-28-28-2800-2054 104	Certification Expense	General Funds (\$27,000)
01-29	Real Estate Appraiser Board	
01-29-29-2923-1140	Real Estate Appraiser Board Admin	
01-29-29-2923-1140 060	Benefits	General Funds (\$7,155)
01-51	Board of Accountancy	
01-51-51-5100-2115	Board of Accountancy Admin	
01-51-51-5100-2115 020	Current Expenses	General Funds (\$8,000)
01-51-51-5100-2115 046	Consultants (Non-benefited)	General Funds (\$4,100)
01-31	Joint Board	
01-31-31-3100-2250	Joint Board Admin	
01-31-31-3100-2250 010	Personal Services- Permanent Classified	General Funds (\$33,840)
01-31-31-3100-2250 060	Benefits	General Funds (\$23,561)
01-39	Board of Manufactured Housing	
01-39-39-3923-4423	Board of Manufactured Housing	
01-39-39-3923-4423 020	Current Expense	General Funds (\$1,451)
01-39-39-3923-4423 070	In-State Travel	General Funds (\$260)
01-05	Executive Council	
01-05-05-0520-1001	Executive Council	
01-05-05-0520-1001 012	Personal Services - Unclassified	General Funds (\$300)
01-05-05-0520-1001 020	Current Expense	General Funds (\$2,180)
01-05-05-0520-1001 027	Transfers to DoIT	General Funds (\$500)
01-05-05-0520-1001 030	Equipment	General Funds (\$600)
01-05-05-0520-1001 080	Out-of-State Travel	General Funds (\$1,215)
01-02	Executive Office	
01-02-02-0200	Executive Office	
01-02-02-0200-1036	Office of the Governor	
01-02-02-0200-1036	Personal Services/Current	
	Expenses/Benefits	General Funds (\$75,665)
01-02-02-0205	Governor's Commission on Disability	
01-02-02-0205-1004	Commission on Disability	
01-02-02-0205-1004 011	Personal Services - Unclassified	General Funds (\$31,237)
01-02-02-0205-1006 020	Current Expenses	General Funds (\$500)
01-02-02-0205-1004 026	Organizational Dues	General Funds (\$100)
01-02-02-0205-1006 030	Equipment	General Funds (\$500)
01-02-02-0205-1006 046	Consultants (Non-Benefited)	General Funds (\$750)
01-02-02-0205-1004 060	Benefits	General Funds (\$4,881)
01-02-02-0205-1006 070	In-State Travel	General Funds (\$1,500)

01-02-02-0205-1006 080	Out-of-State	General Funds	(\$559)
01-02-02-0205-1004 230	Interpreter Services	General Funds	(\$2,000)
01-02-02-0240	Office of Energy and Planning Administration		
01-02-02-0240-6400			
01-02-02-0240-6400 010	Personal Services- Permanent Classified	General Funds	(\$21,204)
01-02-02-0240-6400 016	Personal Services - Non-Classified	General Funds	(\$12,659)
01-02-02-0240-6400 046	Consultants (Non-Benefited)	General Funds	(\$10,000)
01-02-02-0240-6400 060	Benefits	General Funds	(\$6,942)
01-02-02-0240-6400 068	Remuneration	General Funds	(\$18,607)
01-02-02-0240-6570	Municipal/Regional Assistance		
01-02-02-0240-6570 010	Personal Services- Permanent Classified	General Funds	(\$2,150)
01-02-02-0240-6570 060	Benefits	General Funds	(\$332)
01-02-02-0240-6570 073	Grants - Non Federal	General Funds	(\$30,000)
01-02-02-0240-4096	Connecticut River Valley		
01-02-02-0240-4096 068	Remuneration	General Funds	(\$26,136)
01-02-02-0240-8114	Unemployment Compensation		
01-02-02-0240-8114 061	Unemployment Compensation	General Funds	(\$5,000)
02-12	Adjutant General Department		
02-12-12-1200-2220	Administration and Armories		
02-12-12-1200-2220 010	Personal Services- Permanent Classified	General Funds	(\$89,318)
02-12-12-1200-2220 020	Current Expense	General Funds	(\$15,000)
02-12-12-1200-2220 022	Rents & Leases Other than State	General Funds	(\$6,853)
02-12-12-1200-2220 060	Benefits	General Funds	(\$63,308)
02-12-12-1200-2233	Air National Guard MNT/OPER		
02-12-12-1200-2233 020	Current Expenses	General Funds	(\$5,000)
02-12-12-1200-2233 020	Current Expenses	Federal Funds	(\$15,000)
02-12-12-1200-2233 023	Heat, Electricity, & Water	General Funds	(\$5,000)
02-12-12-1200-2233 023	Heat, Electricity, & Water	Federal Funds	(\$15,000)
02-12-12-1200-2233 047	Own Forces Maintenance/Building & Grounds	General Funds	(\$5,000)
02-12-12-1200-2233 047	Own Forces Maintenance/Building & Grounds	Federal Funds	(\$15,000)
02-12-12-1200-2240	Army and State 50/50		
02-12-12-1200-2240 023	Heat, Electricity, & Water	General Funds	(\$45,000)
02-12-12-1200-2240 023	Heat, Electricity, & Water	Federal Funds	(\$45,000)
02-12-12-1200-2240 103	Contracts for Operational Services	General Funds	(\$88,374)
02-12-12-1200-2240 103	Contracts for Operational Services	Federal Funds	(\$88,374)
02-12-12-1210-2260	NH State Veterans Cemetery Operations		
02-12-12-1210-2260 050	Personal Services - Temporary/Appointed	General Funds	(\$15,000)
02-12-12-1210-2260 060	Benefits	General Funds	(\$1,147)
02-18	Department of Agriculture, Markets & Food		
02-18-18-1825-2705	Animal Population Control		
02-18-18-1825-2705 010	Personal Services- Permanent Classified	General Funds	(\$30,888)
02-18-18-1825-2705 060	Benefits	General Funds	(\$30,098)
02-18-18-1830-2137	Pesticide Regulation		
02-18-18-1830-2137 060	Benefits	General Funds	(\$31,626)
02-18-18-1830-2137 060	Benefits	Other Funds	\$31,626
02-18-18-1805-2133	Division of Weights & Measures		
02-18-18-1805-2133 018	Overtime	General Funds	(\$31,041)
02-18-19-1900-7883	Board of Veterinary Medicine		
02-18-19-1900-7883 010	Personal Services- Permanent Classified	General Funds	(\$9,688)
02-18-19-1900-7883 060	Benefits	General Funds	(\$5,677)
02-20	Department of Justice		
02-20-20-2000-2601	Attorney General		
02-20-20-2000-2601 010	Personal Services- Permanent Classified	General Funds	(\$89,379)

02-20-20-2000-2601 060	Benefits	General Funds (\$32,799)
02-20-20-2005-2610	Criminal Bureau	
02-20-20-2005-2610 010	Personal Services- Permanent Classified	General Funds(\$124,374)
02-20-20-2005-2610 060	Benefits	General Funds (\$63,229)
02-20-20-2005-2610 010	Personal Services- Permanent Classified	Federal Funds \$92,428
02-20-20-2005-2610 060	Benefits	Federal Funds \$42,264
02-20-20-2005-2611	Consumer Bureau	
02-20-20-2005-2611 010	Personal Services- Permanent Classified	General Funds (\$39,990)
02-20-20-2005-2611 014	Personal Services- Unclassified	General Funds (\$68,092)
02-20-20-2005-2611 060	Benefits	General Funds (\$43,025)
02-20-20-2005-2611 010	Personal Services- Permanent Classified	Other Funds \$39,990
02-20-20-2005-2611 014	Personal Services- Unclassified	Other Funds \$68,092
02-20-20-2005-2611 060	Benefits	Other Funds \$43,025
02-20-20-2010-2620	Civil Bureau	
02-20-20-2010-2620 010	Personal Services- Permanent Classified	General Funds (\$47,310)
02-20-20-2010-2620 013	Personal Services- Unclassified	General Funds(\$172,374)
02-20-20-2010-2620 060	Benefits	General Funds(\$106,062)
02-73	Public Employee Labor Relations Board	
02-73-73-7300-2066	Public Employee Labor Relations Board	
02-73-73-7300-2066 010	Personal Services- Permanent Classified	General Funds (\$14,936)
02-73-73-7300-2066 020	Current Expenses	General Funds (\$1,500)
02-73-73-7300-2066 026	Organizational Dues	General Funds (\$115)
02-73-73-7300-2066 046	Consultants (Non-Benefited)	General Funds (\$1,200)
02-73-73-7300-2066 050	Personal Services- Temporary/Appointed	General Funds (\$4,500)
02-73-73-7300-2066 070	In-State Travel	General Funds (\$250)
02-86	Racing & Charitable Gaming Commission	
02-86-86-8600-2210	Racing & Charitable Gaming Commission	
02-86-86-8600-2210 018	Overtime	General Funds (\$5,000)
02-86-86-8600-2210 019	Holiday Pay	General Funds (\$1,000)
02-86-86-8600-2210 020	Current Expenses	General Funds (\$15,000)
02-86-86-8600-2210 024	Maintenance Other than Building & Grounds	General Funds (\$500)
02-86-86-8600-2210 059	Full-Time Temporary	General Funds (\$20,000)
02-86-86-8600-2210 060	Benefits	General Funds (\$10,000)
02-86-86-8600-2210 070	In-State Travel	General Funds (\$5,000)
02-26	Department of Labor	
02-26-26-2605-6100	Inspection Division	
02-26-26-2605-6100 010	Personal Services- Permanent Classified	General Funds (\$57,826)
02-26-26-2605-6100 060	Benefits	General Funds (\$50,174)
02-77	Liquor Commission	
02-77-77-7705-7878	Enforcement	
02-77-77-7705-7878 18	Overtime	Other Funds (\$60,000)
02-77-77-7705-7878 30	Equipment New/Replacement	Other Funds (\$70,000)
02-77-77-7705-1021	Licensing	
02-77-77-7705-1021 22	Rents & Leases Other Than State	Other Funds (\$40,000)
02-77-77-7710-1023	Financial Administration	
02-77-77-7710-1023 22	Rents & Leases Other Than State	Other Funds (\$110,000)
02-77-77-7715-1024	Merchandising - Administration	
02-77-77-7715-1024 46	Consultants (Non-Benefited)	Other Funds (\$225,000)
02-46	Department of Corrections	
02-46-46-4650-8236	Pharmacy	
02-46-46-4650-8236 070	In-State travel	General Funds (\$1,601)
02-46-46-4650-8236 100	Prescription Drug Expenditures	General Funds(\$750,000)
02-46-46-4600-7101	Commissioner's Office	

02-46-46-4600-7101 020	Current Expenses	General Funds (\$15,000)
02-46-46-4600-7101 066	Employee Training	General Funds (\$15,000)
02-46-46-4600-7101 070	In-State travel	General Funds (\$1,722)
02-46-46-4660-7111	NH State Prison for Women	
02-46-46-4660-7111 020	Current Expenses	General Funds (\$10,000)
02-46-46-4660-7111 023	Heat, Electricity & Water	General Funds (\$11,493)
02-46-46-4660-7111 047	Own Forces Maintenance/Building & Grounds	General Funds (\$2,000)
02-46-46-4660-7111 048	Contractual Maintenance/Building & Grounds	General Funds (\$3,000)
02-46-46-4660-7111 068	Remuneration	General Funds (\$12,497)
02-46-46-4660-7111 070	In-State travel	General Funds (\$3,257)
02-46-46-4660-7111 102	Contracts For Program Services	General Funds(\$242,000)
02-46-46-4650-5833	Secured Psych Unit (SPU)	
02-46-46-4650-5833 020	Current Expenses	General Funds (\$5,000)
02-46-46-4650-5833 024	Maintenance Other Than Building & Grounds	General Funds (\$1,000)
02-46-46-4650-5833 047	Own Forces Maintenance/Building & Grounds	General Funds (\$5,000)
02-46-46-4650-5833 068	Remuneration	General Funds (\$4,507)
02-46-46-4650-5833 070	In-State travel	General Funds (\$1,831)
02-46-46-4630-7103	NHSP/M - Kitchen	
02-46-46-4630-7103 020	Current Expenses	General Funds (\$10,000)
02-46-46-4630-7103 024	Maintenance Other Than Building & Grounds	General Funds (\$2,000)
02-46-46-4630-7108	NHSP/M - Warehouse	
02-46-46-4630-7108 020	Current Expenses	General Funds (\$40,000)
02-46-46-4630-7108 070	In-State travel	General Funds (\$217)
02-46-46-4630-7113	NHSP/M - Admin	
02-46-46-4630-7113 020	Current Expenses	General Funds (\$10,000)
02-46-46-4630-7113 024	Maintenance Other Than Building & Grounds	General Funds (\$1,000)
02-46-46-4630-7113 070	In-State travel	General Funds (\$25,727)
02-46-46-4630-7120	NHSP/M - Security	
02-46-46-4630-7120 020	Current Expenses	General Funds (\$10,000)
02-46-46-4630-7120 068	Remuneration	General Funds(\$150,173)
02-46-46-4630-7140	NHSP/M - Maintenance	
02-46-46-4630-7140 020	Current Expenses	General Funds (\$40,000)
02-46-46-4630-7140 023	Heat, Electricity & Water	General Funds(\$158,914)
02-46-46-4630-7140 047	Own Forces Maintenance/Building &Grounds	General Funds (\$10,000)
02-46-46-4630-7140 070	In-State travel	General Funds (\$3,257)
02-46-46-4600-7170	Parole Board	
02-46-46-4600-7170 020	Current Expenses	General Funds (\$5,000)
02-46-46-4600-7170 068	Remuneration	General Funds (\$200)
02-46-46-4600-7170 070	In-State travel	General Funds (\$9,874)
02-46-46-4650-8231	Mental Health	
02-46-46-4650-8231 020	Current Expenses	General Funds (\$1,000)
02-46-46-4650-8231 070	In-State travel	General Funds (\$2,569)
02-46-46-4650-8235	Residential Treatment Unit (RTU)	
02-46-46-4650-8235 020	Current Expenses	General Funds (\$5,000)
02-46-46-4650-8235 070	In-State travel	General Funds (\$2,910)
02-46-46-4610-8300	Financial Services	
02-46-46-4610-8300 020	Current Expenses	General Funds (\$1,000)
02-46-46-4610-8300 070	In-State travel	General Funds (\$286)
02-46-46-4640-8302	Field Services	
02-46-46-4640-8302 020	Current Expenses	General Funds (\$10,000)
02-46-46-4640-8302 023	Heat, Electricity & Water	General Funds (\$1,562)
02-46-46-4640-8302 047	Own Forces Maintenance/Building &Grounds	General Funds (\$2,000)
02-46-46-4640-8302 070	In-State travel	General Funds (\$90,733)

02-46-46-4600-8360	Training		
02-46-46-4600-8360 020	Current Expenses	General Funds	(\$2,000)
02-46-46-4600-8360 070	In-State travel	General Funds	(\$1,329)
02-46-46-4645-7874	Calumet House		
02-46-46-4645-7874 023	Heat, Electricity & Water	General Funds	(\$2,455)
02-46-46-4645-7874 024	Maintenance Other Than Building & Grounds	General Funds	(\$2,000)
02-46-46-4645-7874 070	In-State travel	General Funds	(\$1,086)
02-46-46-4650-8234	Medical - Dental		
02-46-46-4650-8234 024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
02-46-46-4650-8234 070	In-State travel	General Funds	(\$11,326)
02-46-46-4645-5172	Shea Farm		
02-46-46-4645-5172 023	Heat, Electricity & Water	General Funds	(\$2,947)
02-46-46-4645-5172 048	Contractual Maintenance/Building & Grounds	General Funds	(\$6,000)
02-46-46-4645-7107	North End House		
02-46-46-4645-7107 070	In-State travel	General Funds	(\$543)
02-46-46-4600-8301	Human Resources		
02-46-46-4600-8301 070	In-State travel	General Funds	(\$615)
02-76	NH Commission for Human Rights		
02-76-76-7600-7882	NH Commission for Human Rights		
02-76-76-7600-7882 020	Current Expenses	General Funds	(\$2,175)
02-76-76-7600-7882 020	Current Expenses	Federal Funds	(\$458)
02-76-76-7600-7882 038	Technology - Software	General Funds	(\$2,557)
02-76-76-7600-7882 038	Technology - Software	Federal Funds	(\$539)
02-76-76-7600-7882 050	Personal Services- Temporary/Appointed	General Funds	(\$1,638)
02-76-76-7600-7882 050	Personal Services- Temporary/Appointed	Federal Funds	(\$345)
02-76-76-7600-7882 057	Books, Periodicals, Subscriptions	General Funds	(\$1,922)
02-76-76-7600-7882 057	Books, Periodicals, Subscriptions	Federal Funds	(\$405)
02-76-76-7600-7882 066	Employee Training	General Funds	(\$814)
02-76-76-7600-7882 066	Employee Training	Federal Funds	(\$171)
02-76-76-7600-7882 068	Remuneration	General Funds	(\$826)
02-76-76-7600-7882 068	Remuneration	Federal Funds	(\$174)
02-76-76-7600-7882 070	In-State Travel	General Funds	(\$1,264)
02-76-76-7600-7882 070	In-State Travel	Federal Funds	(\$266)
02-76-76-7600-7882 103	Contracts for Operational Services	General Funds	(\$25)
02-76-76-7600-7882 103	Contracts for Operational Services	Federal Funds	(\$5)
03-35	Department of Resources and Economic Development		
03-35-35-3500-3400	Office of the Commissioner		
03-35-35-3500-3400 040	Indirect Costs	General Funds	(\$1,657)
03-35-35-3500-3401	Design Development-Maintenance		
03-35-35-3500-3401 010	Personal Services- Permanent Classified	General Funds	(\$36,025)
03-35-35-3500-3401 010	Personal Services- Permanent Classified	Other Funds	(\$41,782)
03-35-35-3500-3401 060	Benefits	General Funds	(\$14,395)
03-35-35-3500-3401 060	Benefits	Other Funds	(\$16,694)
03-35-35-3500-3402	Bureau Of Historic Sites		
03-35-35-3500-3402 070	In-State Travel	General Funds	(\$500)
03-35-35-3510-3500	Forest And Lands/Adm.		
03-35-35-3510-3500 045	Personal Services (Non-Benefited)	General Funds	(\$16,000)
03-35-35-3510-3505	Management & Protection		
03-35-35-3510-3505 010	Personal Services- Permanent Classified	Other Funds	(\$19,413)
03-35-35-3510-3505 060	Benefits	Other Funds	(\$7,765)
03-35-35-3510-3510	Forest Management		
03-35-35-3510-3510 010	Personal Services- Permanent Classified	General Funds	(\$86,509)
03-35-35-3510-3510 010	Personal Services- Permanent Classified	Other Funds	\$86,509

03-35-35-3510-3510 020	Current Expenses	General Funds (\$10,000)
03-35-35-3510-3510 060	Benefits	General Funds (\$24,825)
03-35-35-3510-3510 060	Benefits	Other Funds \$24,825
03-35-35-3510-2102	Fuelwood	
03-35-35-3510-2102 020	Current Expenses	Other Funds \$10,000
03-35-35-3510-3520	Forest Protection	
03-35-35-3510-3520 010	Personal Services- Permanent Classified	General Funds (\$55,996)
03-35-35-3510-3520 050	Personal Services - Temporary/Appointed	General Funds (\$29,778)
03-35-35-3510-3520 060	Benefits	General Funds (\$32,758)
03-35-35-3510-3492	Special Deputy Training	
03-35-35-3510-3492 050	Personal Services - Temporary/Appointed	Other Funds \$25,000
03-35-35-3510-3492 060	Benefits	Other Funds \$1,912
03-35-35-3505-3600	Economic Development Admin.	
03-35-35-3505-3600 020	Current Expenses	General Funds (\$4,458)
03-35-35-3505-3600 069	Promotional And Marketing Expense	General Funds(\$100,000)
03-35-35-3505-3612	Office of International Comm.	
03-35-35-3505-3612 020	Current Expenses	General Funds (\$86,000)
03-35-35-3505-3615	Industrial Research Center	
03-35-35-3505-3615 102	Contracts For Program Services	General Funds(\$100,000)
03-35-35-3520-3620	Travel & Tourism	
03-35-35-3520-3620 069	Promotional And Marketing Expense	General Funds(\$165,000)
03-35-35-3520-3576	International Tourism	
03-35-35-3520-3576 069	Promotional And Marketing Expense	General Funds (\$5,000)
03-35-35-3520-5874	Travel & Tourism Dev Fund	
03-35-35-3520-5874 069	Promotional And Marketing Expense	General Funds (\$40,000)
03-44	Environmental Services	
03-44-44-4400-1002	Administration and Support	
03-44-44-4400-1002 102	Contracts for Program Services	General Funds(\$220,000)
03-44-44-4420-1003	State Aid Grants	
03-44-44-4420-1003 073	Grants - Non-Federal	General Funds(\$327,701)
03-44-44-4420-1518	Lakes - Rivers Management	
03-44-44-4420-1518 102	Contracts for Program Services	General Funds(\$100,000)
03-44-44-4420-1523	ShellFish Healthy Tides	
03-44-44-44201523 102	Contracts for Program Services	General Funds (\$16,500)
03-44-44-4420-3800	Dam Maintenance Administration	
03-44-44-4420-3800 102	Contracts for Program Services	General Funds (\$78,700)
03-44-44-4420-3800 303	Public Access Projects	General Funds (\$25,000)
03-44-44-4440-2589	CERCLA Maintenance	
03-44-44-4440-2589 102	Contracts for Program Services	General Funds(\$200,000)
03-44-44-4400-1002	Administration and Support	
03-44-44-4400-1002 010	Personal Services - Permanent Classified	General Funds (\$75,373)
03-44-44-4400-1002 010	Personal Services - Permanent Classified	Other Funds (\$34,982)
03-44-44-4400-1002 060	Benefits	General Funds (\$40,861)
03-44-44-4400-1002 060	Benefits	Other Funds (\$18,965)
03-44-44-4420-3800	Dam Bureau Administration	
03-44-44-4420-3800 010	Personal Services - Permanent Classified	General Funds(\$110,070)
03-44-44-4420-3800 060	Benefits	General Funds (\$64,534)
03-44-44-4420-3800 010	Personal Services - Permanent Classified	Other Funds (\$22,545)
03-44-44-4420-3800 060	Benefits	Other Funds (\$13,218)
03-44-44-4420-3815	Wetlands Administration	
03-44-44-4420-3815 010	Personal Services - Permanent Classified	General Funds (\$64,254)
03-44-44-4420-3815 060	Benefits	General Funds (\$51,343)
03-44-44-4440-5402	Solid Waste Assist- Prmt- Enfor	

03-44-44-4440-5402 010	Personal Services - Permanent Classified	General Funds(\$147,661)
03-44-44-4440-5402 060	Benefits	General Funds (\$72,576)
03-44-44-4440-5492	RCRA State Match	
03-44-44-4440-5492 010	Personal Services - Permanent Classified	General Funds (\$94,551)
03-44-44-4440-5492 060	Benefits	General Funds (\$56,607)
03-44-44-4430-5496	Radon Program	
03-44-44-4430-5496 010	Personal Services - Permanent Classified	General Funds (\$31,907)
03-44-44-4430-5496 060	Benefits	General Funds (\$10,027)
03-44-44-4430-5496 010	Personal Services - Permanent Classified	Federal Funds (\$31,907)
03-44-44-4430-5496 060	Benefits	Federal Funds (\$10,028)
04-96	Department of Transportation	
04-96-96-9640-2931	Railroad	
04-96-96-9640-2931 010	Personal Services- Permanent Classified	General Funds (\$34,866)
04-96-96-9640-2931 060	Benefits	General Funds (\$21,800)
04-96-96-9640-2931 010	Personal Services- Permanent Classified	Federal Funds \$34,866
04-96-96-9640-2931 060	Benefits	Federal Funds \$21,800
04-96-96-9640-2107	Aeronautics	
04-96-96-9640-2107 070	In-State Travel	General Funds (\$4)
04-96-96-9640-2049	Land & Buildings	
04-96-96-9640-2049 046	Consultants (Non-Benefited)	General Funds (\$2,500)
04-96-96-9640-2049 048	Contractual Maintenance/Building & Grounds	General Funds (\$17,500)
04-96-96-9640-2049 400	Construction, Repair & Material	General Funds (\$5,000)
04-96-96-9640-2058	Maintenance/Critical Repair	
04-96-96-9640-2058 048	Contractual Maintenance/Building & Grounds	General Funds (\$10,000)
05-95	Department of Health and Human Services	
05-95-40	Division for Children, Youth and Families	
05-95-40-4030-5855	Child-Family Services	
05-95-40-4030-5855 101	Medical Payments to Providers	General Funds (\$6,997)
05-95-40-4030-5855 101	Medical Payments to Providers	Federal Funds (\$7,031)
05-95-40-4030-5855 533	Foster Care Services	General Funds(\$172,486)
05-95-40-4030-5855 533	Foster Care Services	Federal Funds(\$173,320)
05-95-40-4030-5855 535	Out Of Home Placements	General Funds(\$232,263)
05-95-40-4030-5855 535	Out Of Home Placements	Federal Funds(\$233,385)
05-95-40-4030-5855 550	Assessment and Counseling	General Funds (\$1,716)
05-95-40-4030-5855 550	Assessment and Counseling	Federal Funds (\$1,724)
05-95-40-4030-5855 563	Community Based Services	General Funds (\$59,040)
05-95-40-4030-5855 563	Community Based Services	Federal Funds (\$59,325)
05-95-40-4030-5857	DCYF-Prevention Programs	
05-95-40-4030-5857 073	Grants - Non-Federal	General Funds(\$784,911)
05-95-45	Division of Family Assistance	
05-95-45-4500-6127	Employment Support	
05-95-45-4500-6127 102	Contracts for Program Services	General Funds (\$73,000)
05-95-45-4500-6127 102	Contracts for Program Services	Federal Funds(\$554,000)
05-95-48	Bureau of Elderly and Adult Services	
05-95-48-4810-8915	Congregate Housing	
05-95-48-4810-8915 502	Payments to Providers	General Funds (\$15,000)
05-95-48-4815-6173	Nursing Services	
05-95-48-4815-6173 504	Nursing Home Payments	General Funds(\$2,057,000)
05-95-48-4815-6173 504	Nursing Home Payments	Federal Funds(\$2,057,000)
05-95-48-4815-6173 505	Mid-Level Care Expenses	General Funds (\$71,000)
05-95-48-4815-6173 505	Mid-Level Care Expenses	Federal Funds (\$70,000)
05-95-48-4815-6173 506	Home Nursing Services	General Funds(\$435,000)
05-95-48-4815-6173 506	Home Nursing Services	Federal Funds(\$436,000)

05-95-48-4815-6173 529	Home Health Services	General Funds	\$274,000
05-95-48-4815-6173 529	Home Health Services	Federal Funds	\$274,000
05-95-90	Division of Public Health Services		
05-95-90-9015-5121	Health Promotion		
05-95-90-9015-5121 020	Current Expenses	General Funds	(\$12,422)
05-95-90-9015-5121 022	Rents & Leases Other than State	General Funds	(\$1,500)
05-95-90-9015-5121 050	Personal Services - Temporary/Appointed	General Funds	(\$9,503)
05-95-90-9015-5121 060	Benefits	General Funds	(\$727)
05-95-90-9020-2223	Boston EMA Title I		
05-95-90-9020-2223 568	TI HIV Care Boston Ema	General Funds	(\$400,000)
05-95-90-9025-5178	Immunization Program		
05-95-90-9025-5178 102	Contracts for Program Services	Federal Funds	(\$5,000)
05-95-90-9030-5230	Public Health Laboratories		
05-95-90-9030-5230 020	Current Expenses	General Funds	(\$20,400)
05-95-90-9030-5230 548	Reagents	General Funds	(\$27,000)
05-95-92	Bureau of Behavioral Health		
05-95-92-9200-7010	Community Mental Health Services		
05-95-92-9200-7010 552	Rehab Services	General Funds	(\$466,000)
05-95-92-9200-7010 552	Rehab Services	Federal Funds	(\$617,000)
05-95-93	Division of Developmental Services		
05-95-93-9300-7100	Developmental Services		
05-95-93-9300-7100 102	Contracts for Program Services	General Funds	(\$30,000)
05-95-93-9300-7100 557	Medicaid Waiver Services	General Funds	(\$671,000)
05-95-93-9300-7100 557	Medicaid Waiver Services	Federal Funds	(\$671,000)
05-95-93-9300-7016	Acquired Brain Disorder Services		
05-95-93-9300-7016 557	Medicaid Waiver Services	General Funds	(\$120,000)
05-95-93-9300-7016 557	Medicaid Waiver Services	Federal Funds	'(\$120,000)
05-95-93-9300-7559	NH Brain Injury Program		
05-95-93-9300-7559 502	Payments to Providers	General Funds	(\$50,000)
05-95-93-9300-5191	Special Medical Services		
05-95-93-9300-5191 046	Consultants (Non-Benefited)	General Funds	(\$41,000)
05-95-93-9300-5191 102	Contracts for Program Services	General Funds	(\$15,000)
05-95-93-9300-5191 561	Specialty Clinics	General Funds	(\$99,000)
05-95-94	New Hampshire Hospital		
05-95-94-9400-8750	Acute Psychiatric Services		
05-95-94-9400-8750 102	Contracts for Program Services	General Funds	(\$190,000)
05-95-94-9400-8750 102	Contracts for Program Services	Federal Funds	(\$22,000)
05-95-95-9560	Office of Medicaid and Business Policy		
05-95-95-9560-6126	Medicaid Administration		
05-95-95-9560-6126 512	Transportation of Clients	General Funds	(\$306,000)
05-95-95-9560-6126 512	Transportation of Clients	Federal Funds	(\$306,000)
05-95-95-9560-6143	Pharmacy Services		
05-95-95-9560-6143 503	State Phase Down	General Funds	(\$5,500,000)
05-95-95-9560-6147	Provider Payments		
05-95-95-9560-6147 101	Medical Payments to Providers	General Funds	(\$3,416,846)
05-95-95-9560-6147 101	Medical Payments to Providers	Federal Funds	(\$3,415,246)
05-95-95-9560-6147 565	Outpatient Hospital	General Funds	(\$350,000)
05-95-95-9560-6147 565	Outpatient Hospital	Federal Funds	(\$350,000)
05-95-95-9584	DCBCS Treatment & Prevention		
05-95-95-9584-1388	Governor		
05-95-95-9584-1388 102	Contracts for Program Services	General Funds	(\$76,000)
05-43	New Hampshire Veterans Home		
05-43-43-4300-5358	Custodial Services		

05-43-43-4300-5358 018	Overtime	General Funds (\$10,000)
05-43-43-4300-5358 019	Holiday Pay	General Funds (\$5,000)
05-43-43-4300-5358 020	Current Expenses	General Funds (\$10,000)
05-43-43-4300-5358 021	Food Institutions	General Funds (\$26,000)
05-43-43-4300-5358 023	Heat, Electricity & Water	General Funds (\$40,000)
05-43-43-4300-5358 047	Own Forces Maintenance/Building & Grounds	General Funds (\$50,000)
05-43-43-4300-5358 050	Personal Services - Temporary/Appointed	General Funds (\$20,000)
05-43-43-4300-5358 070	In-State Travel	General Funds (\$7,000)
05-43-43-4300-5359	Professional Services	
05-43-43-4300-5359 010	Personal Services- Permanent Classified	General Funds(\$773,535)
05-43-43-4300-5359 010	Personal Services- Permanent Classified	Federal Funds \$773,535
05-43-43-4300-5359 011	Personal Services - Unclassified	General Funds (\$5,727)
05-43-43-4300-5359 011	Personal Services - Unclassified	Federal Funds \$5,727
05-43-43-4300-5359 018	Overtime	General Funds (\$6,180)
05-43-43-4300-5359 018	Overtime	Federal Funds \$6,180
05-43-43-4300-5359 019	Holiday Pay	General Funds (\$23,619)
05-43-43-4300-5359 019	Holiday Pay	Federal Funds \$10,974
05-43-43-4300-5359 019	Holiday Pay	Other Funds (\$9,540)
05-43-43-4300-5359 020	Current Expenses	General Funds (\$31,999)
05-43-43-4300-5359 020	Current Expenses	Federal Funds \$27,640
05-43-43-4300-5359 020	Current Expenses	Other Funds (\$3,289)
05-43-43-4300-5359 026	Organizational Dues	General Funds (\$119)
05-43-43-4300-5359 026	Organizational Dues	Federal Funds \$119
05-43-43-4300-5359 027	Transfers to Office Information Technology	General Funds (\$7,520)
05-43-43-4300-5359 027	Transfers to Office Information Technology	Federal Funds \$7,520
05-43-43-4300-5359 030	Equipment New/Replacement	General Funds (\$10,952)
05-43-43-4300-5359 030	Equipment New/Replacement	Federal Funds \$10,952
05-43-43-4300-5359 041	Audit Fund Set Aside	General Funds (\$377)
05-43-43-4300-5359 041	Audit Fund Set Aside	Federal Funds \$377
05-43-43-4300-5359 046	Consultants (Non-Benefited)	General Funds (\$18,775)
05-43-43-4300-5359 046	Consultants (Non-Benefited)	Federal Funds \$18,775
05-43-43-4300-5359 050	Personal Services - Temporary/Appointed	General Funds (\$40,051)
05-43-43-4300-5359 050	Personal Services - Temporary/Appointed	Federal Funds \$40,051
05-43-43-4300-5359 060	Benefits	General Funds(\$407,826)
05-43-43-4300-5359 060	Benefits	Federal Funds \$407,826
05-43-43-4300-5359 070	In-State Travel	General Funds (\$1,366)
05-43-43-4300-5359 070	In-State Travel	Federal Funds \$527
05-43-43-4300-5359 070	In-State Travel	Other Funds (\$633)
05-43-43-4300-5359 080	Out-of-State Travel	General Funds (\$313)
05-43-43-4300-5359 080	Out-of-State Travel	Federal Funds \$313
05-43-43-4300-5360	Pharmacy Services	
05-43-43-4300-5360 100	Prescription Drug Expenditures	General Funds (\$54,000)
05-74	HHS Admin Attached Boards	
05-74-74-7405-7400	Board of Medicine	
05-74-74-7405-7400 018	Overtime	General Funds (\$31)
05-74-74-7405-7400 020	Current Expenses	General Funds (\$5,000)
05-74-74-7405-7400 050	Personal Services - Temporary/Appointed	General Funds (\$18,810)
05-74-74-7405-7400 060	Benefits	General Funds (\$1,552)
05-74-74-7410-7410	Board of Optometry	
05-74-74-7410-7410 020	Current Expenses	General Funds (\$1,500)
05-74-74-7410-7410 070	In-State Travel	General Funds (\$539)
05-74-74-7420-7420	Nursing Home Exam Board	
05-74-74-7420-7420 020	Current Expenses	General Funds (\$500)

05-74-74-7420-7420 050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7420-7420 060	Benefits	General Funds	(\$77)
05-74-74-7425-7425	Off of Allied Health Prof		
05-74-74-7425-7425 046	Consultants (Non-Benefited)	General Funds	(\$700)
05-74-74-7425-7425 050	Personal Services - Temporary/Appointed	General Funds	(\$4,883)
05-74-74-7425-7425 060	Benefits	General Funds	(\$117)
05-74-74-7425-7425 070	In-State Travel	General Funds	(\$2,000)
05-74-74-7430-7430	Nurses Registration		
05-74-74-7430-7430 018	Overtime	General Funds	(\$8,000)
05-74-74-7430-7430 020	Current Expenses	General Funds	(\$10,000)
05-74-74-7430-7430 024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
05-74-74-7430-7430 046	Consultants (Non-Benefited)	General Funds	(\$3,500)
05-74-74-7430-7430 050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7430-7430 060	Benefits	General Funds	(\$77)
05-74-74-7430-7430 070	In-State Travel	General Funds	(\$500)
05-74-74-7431-7431	Nurses Registration		
05-74-74-7431-7431 020	Current Expenses	Other Funds	(\$1,000)
05-74-74-7431-7431 024	Maintenance Other Than Building & Grounds	Other Funds	(\$3,000)
05-74-74-7431-7431 042	Post Retirement (Additional Fringe Benefits)	Other Funds	(\$1,442)
05-74-74-7431-7431 050	Personal Services - Temporary/Appointed	Other Funds	(\$306)
05-74-74-7431-7431 060	Benefits	Other Funds	(\$500)
05-74-74-7432-7432	Nurses Registration		
05-74-74-7432-7432 020	Current Expenses	Other Funds	(\$9,000)
05-74-74-7432-7432 046	Consultants (Non-Benefited)	Other Funds	(\$250)
05-74-74-7432-7432 070	In-State Travel	Other Funds	(\$1,000)
05-74-74-7435-7435	Pharmacy Board		
05-74-74-7435-7435 018	Overtime	General Funds	(\$8,000)
05-74-74-7435-7435 020	Current Expenses	General Funds	(\$2,004)
05-74-74-7435-7435 022	Rents & Leases Other than State	General Funds	(\$1,000)
05-74-74-7435-7435 026	Organizational Dues	General Funds	(\$600)
05-74-74-7435-7435 046	Consultants (Non-Benefited)	General Funds	(\$2,500)
05-74-74-7435-7435 070	In-State Travel	General Funds	(\$6,000)
05-74-74-7440-7440	Chiropractic Examiners		
05-74-74-7440-7440 010	Personal Services- Permanent Classified	General Funds	(\$10,156)
05-74-74-7440-7440 060	Benefits	General Funds	(\$5,542)
05-74-74-7445-7445	Cosmetology/Barbers Board		
05-74-74-7445-7445 010	Personal Services- Permanent Classified	General Funds	(\$8,385)
05-74-74-7445-7445 060	Benefits	General Funds	(\$10,632)
05-74-74-7450-7450	Dental Board		
05-74-74-7450-7450 020	Current Expenses	General Funds	(\$5,500)
05-74-74-7450-7450 026	Organizational Dues	General Funds	(\$590)
05-74-74-7450-7450 046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7455-7455	Electrolysis Board		
05-74-74-7455-7455 020	Current Expenses	General Funds	(\$334)
05-74-74-7460-7460	Funeral Directors - Embalmers		
05-74-74-7460-7460 020	Current Expenses	General Funds	(\$994)
05-74-74-7460-7460 026	Organizational Dues	General Funds	(\$75)
05-74-74-7460-7460 046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465	NH Bd of Mental Health Practice		
05-74-74-7465-7465 020	Current Expenses	General Funds	(\$3,000)
05-74-74-7465-7465 046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465 050	Personal Services - Temporary/Appointed	General Funds	(\$8,847)
05-74-74-7465-7465 060	Benefits	General Funds	(\$733)

05-74-74-7470-7470	Ophthalmic Dispensers		
05-74-74-7470-7470 020	Current Expenses	General Funds	(\$1,410)
05-74-74-7475-7475	Naturopathic Examiners		
05-74-74-7475-7475 020	Current Expenses	General Funds	(\$197)
05-74-74-7475-7475 050	Personal Services - Temporary/Appointed	General Funds	(\$584)
05-74-74-7475-7475 060	Benefits	General Funds	(\$48)
05-74-74-7480-7480	Hearing Aid Dealers		
05-74-74-7480-7480 020	Current Expenses	General Funds	(\$1,000)
05-74-74-7480-7480 070	In-State Travel	General Funds	(\$128)
05-74-74-7485-7485	Board of Acupuncture		
05-74-74-7485-7485 020	Current Expenses	General Funds	(\$183)
05-74-74-7485-7485 050	Personal Services - Temporary/Appointed	General Funds	(\$544)
05-74-74-7485-7485 060	Benefits	General Funds	(\$45)
05-74-74-7490-7490	Midwifery Council		
05-74-74-7490-7490 020	Current Expenses	General Funds	(\$64)
05-74-74-7492-7492	Bd of Alc - ODA Professionals		
05-74-74-7492-7492 070	In-State Travel	General Funds	(\$1,962)
05-74-74-7493-7493	Massage Therapy Advisory Board		
05-74-74-7493-7493 020	Current Expenses	General Funds	(\$5,821)
05-74-74-7495-7495	Bd of Licensed Dietitians		
05-74-74-7495-7495 050	Personal Services - Temporary/Appointed	General Funds	(\$1,158)
05-74-74-7495-7495 060	Benefits	General Funds	(\$96)
06-57	Postsecondary Education Commission		
06-57-57-5700-5407	Administration - Financial Aid		
06-57-57-5700-5407 021	Food Institutions	General Funds	(\$2,000)
06-57-57-5700-5407 050	Personal Services - Temporary/Appointed	General Funds	(\$20,659)
06-57-57-5700-5407 060	Benefits	General Funds	(\$1,580)
06-57-57-5700-6074	Granite State Scholars		
06-57-57-5700-6074 107	Scholarships & Grants	General Funds	(\$160,949)
06-57-57-5700-6075	Veterinary Education Program		
06-57-57-5700-6075 107	Scholarships & Grants	General Funds	(\$21,813)
06-57-57-5700-6076	Medical Education Program		
06-57-57-5700-6076 107	Scholarships & Grants	General Funds	(\$5,000)
06-56	Department of Education		
06-56-56-5605-2022	Governance and Standards		
06-56-56-5605-2022 010	Personal Services- Permanent Classified	General Funds	(\$72,852)
06-56-56-5605-2022 046	Consultants (Non-Benefited)	General Funds	(\$7,810)
06-56-56-5605-2022 060	Benefits	General Funds	(\$21,412)
06-56-56-5605-2022 067	Training & Providers	General Funds	(\$5,000)
06-56-56-5605-2022 235	Transcription Services	General Funds	(\$1,203)
06-56-56-5610-6019	Other State Aid		
06-56-56-5610-6019 078	Cat Aid - Education	General Funds	(\$3,946,405)
06-56-56-5610-6019 600	Tuition and Transportation Aid	General Funds	(\$607,993)
06-56-56-5610-6019 606	Dropout Prevention	General Funds	(\$128,065)
06-56-56-5610-6019 607	Statewide Special Education	General Funds	(\$23,942)
06-56-56-5610-6019 609	Local Education Improvement	General Funds	(\$39,903)
06-56-56-5610-6019 610	Career Tech Student Orgs	General Funds	(\$9,178)
06-56-56-5615-4101	Court Ordered Placements		
06-56-56-5615-4101 602	State Fund Non-Match	General Funds	(\$122,710)
06-56-56-5620-6401	Instruction - State		
06-56-56-5620-6401 010	Personal Services- Permanent Classified	General Funds	(\$137,710)
06-56-56-5620-6401 060	Benefits	General Funds	(\$62,529)
06-56-56-5620-3260	Curriculum and Assessment		

06-56-56-5620-3260 010	Personal Services- Permanent Classified	General Funds (\$63,180)
06-56-56-5620-3260 060	Benefits	General Funds (\$27,613)
06-56-56-5620-3260 067	Training & Providers	General Funds (\$1,836)
06-56-56-5620-3260 102	Contracts for Program Services	General Funds (\$4,589)
06-56-56-5620-3260 103	Contracts for Operational Services	General Funds (\$120)
06-56-56-5620-3260 612	State Testing	General Funds(\$240,420)
06-56-56-5620-5406	Parent as Teacher	
06-56-56-5620-5406 602	State Fund Non-Match	General Funds (\$65,000)
06-56-56-5635-4000	Program Support - State	
06-56-56-5635-4000 010	Personal Services- Permanent Classified	General Funds (\$73,682)
06-56-56-5635-4000 060	Benefits	General Funds (\$30,926)
06-56-56-5635-4000 614	Data/Info Processing	General Funds (\$2,190)
06-56-56-5640-3004	School Nutrition - Section IV	
06-56-56-5640-3004 602	State Fund Non-Match	General Funds (\$15,961)
06-56-56-5650-4082	Career Tech - Adult Learn - ADM	
06-56-56-5650-4082 011	Personal Services-Unclassified	General Funds (\$92,106)
06-56-56-5650-4082 060	Benefits	General Funds (\$25,218)
06-56-56-5650-6030	Vocational Education - State	
06-56-56-5650-6030 010	Personal Services- Permanent Classified	General Funds (\$30,888)
06-56-56-5650-6030 060	Benefits	General Funds (\$13,235)
06-56-56-5660-7004	Adult Education	
06-56-56-5660-7004 602	State Fund Non-Match	General Funds(\$102,920)
06-83	Lottery Commission	
06-83-83-8300-1029	Lottery Division	
06-83-83-8300-1029 022	Rents & Leases Other than State	Other Funds (\$650,000)
06-61	McAuliffe-Shepard Discovery Center	
06-61-61-6100-3432	Administration	
06-61-61-6100-3432 018	Overtime	General Funds (\$1,500)
06-61-61-6100-3432 020	Current Expenses	General Funds (\$12,700)
06-61-61-6100-3432 023	Heat, Electricity & Water	General Funds (\$21,100)
06-61-61-6100-3432 024	Maintenance Other Than Building & Grounds	General Funds (\$1,500)
06-61-61-6100-3432 048	Contractual Maintenance/Building & Grounds	General Funds (\$8,200)
Total appropriations and charges as included in category 01 thru and including 06		
General fund		(\$33,759,257)
Federal funds		(\$7,474,655)
Other funds		(\$1,165,845)
Total funds		(\$42,399,757)

86 Effective Date.

- I. Sections 10-12, 41-44, 48, 50, 56-61, and 63 shall take effect July 1, 2010.
- II. Section 45 and 46 of this act shall take effect June 15, 2010.
- III. Section 62 of this act shall take effect November 1, 2012.
- IV. Sections 68 and 70 of this act shall take effect July 1, 2011.
- V. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.

5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.

6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.

7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.

8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.

9. Changes the due date for the Medicaid enhancement tax.

10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.

11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.

12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.

13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.

14. Abolishes the position of animal population control assistant.

15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).

16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.

17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.

18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.

19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.

20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.

21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.

22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.

23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.

24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.

25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.

26. Removes the application of the rooms and meals tax to campsites.

27. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.

28. Requires the lapse of certain retirement pension benefit-health insurance funds.

29. Requires the lapse of certain judicial council funds for contracts for program services.
 30. Requires the lapse of certain appropriations to the state treasurer for debt service.
 31. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
 32. Establishes a commission to study business taxes.
 33. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
 34. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
 35. Transfers certain appropriations relating to adequate education grants.
 36. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
 37. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
 38. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
 39. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
 40. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
 41. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
 42. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
 43. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
 44. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
 45. Requires the relocation of the populations of the Anna Philbrook center, the Shea Farm transitional housing unit, the youth development center, and the state prison for women.
 46. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.
 47. Directs the state treasurer to deposit certain fine revenues in the general fund.
 48. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
 49. Makes appropriation reductions for fiscal year 2011.
- Rep. Kurk spoke in favor and yielded to questions.
Rep. Marjorie Smith spoke against and yielded to questions.
Rep. Marjorie Smith requested a roll call; sufficiently seconded.

YEAS 160 NAYS 198

YEAS 160

BELKNAP

Bolster, Peter
Millham, Alida
Wendelboe, Fran

Boyce, Laurie
Nedeau, Stephen

Fields, Dennis
Pilliod, James

Flanders, Donald
Russell, David

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Doherty, Shaun
Emerton, Larry
Hawkins, Ken
Hogan, Edith
Jasper, Shawn
Messier, Irene
Ober, Russell III
Peterson, Andrew
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Belvin, William
Christiansen, Lars
Dokmo, Cynthia
Gargas, Carolyn
Hikel, John
Holden, Frank
Kurk, Neal
Moran, Edward
Palmer, Stephen
Pratt, Calvin
Ryder, Donald
Spaulding, Jayne
Willette, Robert

Bergin, Peter
Daniels, Gary
Drisko, Richard
Graham, John
Hinch, Richard
Holden, Rip
McCarthy, Michael
O'Brien, William
Pellegrino, Tony
Price, Pamela
Seidel, Carl
Ulery, Jordan
Winters, Joel

Cebrowski, John
Day, Russell
Elliott, Nancy
Haefner, Robert
Hinkle, Peyton
Hopper, Gary
Mead, Robert
Ober, Lynne
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Kidder, David
Palfrey, David

Blankenbeker, Lynne
Kotowski, Frank
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Smith, Todd

Hess, David
McGuire, Carol

ROCKINGHAM

Allen, Mary
Bettencourt, David
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Headd, James
Introne, Robert
Kolodziej, Walter

Baldasaro, Alfred
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Itse, Daniel
Major, Norman

Bates, David
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy

Belanger, Ronald
Charron, Gene
Devine, James
Emiro, Frank
Garritty, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles

Nevins, Chris
Rausch, James
Scamman, Stella

Stiles, Nancy
Welch, David

Packard, Sherman
Reagan, John
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Priestley, Anne
Sanders, Elisabeth
Sedensky, John

Tucker, Pamela
Weyler, Kenneth

Quandt, Matt
Sapareto, Frank
Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Twombly, James

Groen, Warren
Vita, Carol

Price, Susan

Sprague, Dale

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

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BELKNAP

Arsenault, Beth
St. Cyr, Jeffrey

Johnson, William
Stuart, Richard

Merry, Liz
Swinford, Elaine

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

Burridge, Delmar
Carlson, Nancy
Meador, David
Roberts, Kris

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip
White, Andrew

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Caron, June
Cote, David
Gagne, Larry
Goley, Jeffrey
Hammond, Jill
Hodges, Kevin
Knowles, John
LaPlante, Roland

Beaulieu, Jane
Chandley, Shannon
Craig, James
Garrity, Patrick
Gorman, Mary
Hardy, Valerie
Infantine, William
Knowles, Mary Ann
Levasseur, Nickolas

Beck, Catriona
Chase, Claudia
Flurey, Joan
Gidge, Kenneth
Hackel, Paul
Harvey, Philip
Judy, Jean
Komi, Richard
Levesque, Melanie

Campbell, David
Chininis, Alexis
Foster, Linda
Ginsburg, Ruth
Haley, Robert
Harvey, Suzanne
Kelley, John
Kopka, Angeline
Lisle, Carolyn

Long, Patrick	Mack, Ron	Marshall, Seth	Matarazzo, Anthony Sr
Movsesian, Lori	Nixon, David	O'Brien, Michael Sr	O'Neil, James
Pilotte, Maurice	Poznanski, Brian	Ramsey, Peter	Rhodes, Brian
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr	Williams, Carol

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Brown, Carole	Clarke, Claire
Davis, Frank	DeJoie, John	DeStefano, Stephen	Foose, Robert
French, Barbara	Gile, Mary	Hamm, Christine	Kelly, Sally
McMahon, Patricia	Osborne, Jessie	Owen, Derek	Porter, Margaret
Potter, Frances	Rice, Chip	Richardson, Gary	Rodd, Beth
Schuetz, Dianne	Shurtleff, Stephen	Stetson, William	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Wheeler, Deborah	Williams, Robert	Yeaton, Charles

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Howard, Doreen	Hutchinson, Gina	Kepner, Susan	Lyons, Melissa
Mann, Maureen	McCarthy, Barbara	McEachern, Paul	Moody, Marcia
Nord, Susi	Pantelakos, Laura	Perkins, Amy	Perkins, Lawrence
Petterson, Don	Read, Robin Jr	Russell, Trink	Schlachman, Donna
Splaine, James	Webber, Carolyn		

STRAFFORD

Berube, Roger	Brown, Larry	Browne, Brendon	Burke, Rachel
Cyr, James	Grassie, Anne	Hofemann, Roland	Horriggan, Timothy
Hubbard, Pamela	Kaen, Naida	Keans, Sandra	Lauterborn, Elaine
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Vachon, Dennis	Wall, Janet	Ward, Kenneth	Watters, David

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

Sweeney, Cynthia
and the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Kris Roberts spoke against.

Rep. Wallner requested a roll call; sufficiently seconded.

YEAS 182 NAYS 173

YEAS 182

BELKNAP

Arsenault, Beth	Johnson, William	Merry, Liz	Miller, Kate
Stuart, Richard			

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Wiley, Susan
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CHESHIRE

Allen, Peter	Burridge, Delmar	Butcher, Suzanne	Butterworth, Timothy
Butynski, William	Carlson, Nancy	Carr, Daniel	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Parkhurst, Henry
Richardson, Barbara	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Caron, June
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Cote, David
Craig, James	Flurey, Joan	Foster, Linda	Garrity, Patrick
Gidge, Kenneth	Ginsburg, Ruth	Goley, Jeffrey	Hackel, Paul
Hammond, Jill	Hardy, Valerie	Harvey, Philip	Harvey, Suzanne
Hodges, Kevin	Jeudy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	O'Neil, James	Pilotte, Maurice	Poznanski, Brian
Rhodes, Brian	Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr
Williams, Carol			

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Davis, Frank	DeJoie, John
DeStefano, Stephen	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Kelly, Sally	McMahon, Patricia	Osborne, Jessie
Owen, Derek	Porter, Margaret	Potter, Frances	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	Wheeler, Deborah
Williams, Robert	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Henson, John
Hutchinson, Gina	Kepner, Susan	Lyons, Melissa	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi

Pantelakos, Laura
Schlachman, Donna

Petterson, Don
Splaine, James

Read, Robin Jr
Webber, Carolyn

Russell, Trinka

STRAFFORD

Berube, Roger
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Brown, Larry
Hofemann, Roland
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Watters, David

Cyr, James
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia

NAYS 173

BELKNAP

Bolster, Peter
Millham, Alida
St. Cyr, Jeffrey

Boyce, Laurie
Nedeau, Stephen
Swinford, Elaine

Fields, Dennis
Pilliod, James
Wendelboe, Fran

Flanders, Donald
Russell, David

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Cebrowski, John
Day, Russell
Elliott, Nancy
Gorman, Mary
Hawkins, Ken
Hogan, Edith
Infantine, William
Mead, Robert
Ober, Lynne

Belvin, William
Christensen, Chris
Doherty, Shaun
Emerton, Larry
Graham, John
Hikel, John
Holden, Frank
Jasper, Shawn
Messier, Irene
Ober, Russell III

Bergin, Peter
Christiansen, Lars
Dokmo, Cynthia
Gagne, Larry
Haefner, Robert
Hinch, Richard
Holden, Rip
Kurk, Neal
Moran, Edward
Palmer, Stephen

Campbell, David
Daniels, Gary
Drisko, Richard
Gargas, Carolyn
Haley, Robert
Hinkle, Peyton
Hopper, Gary
McCarthy, Michael
O'Brien, William
Pellegrino, Tony

Pepino, Leo
Ramsey, Peter
Seidel, Carl
Ulery, Jordan
Winters, Joel

Peterson, Andrew
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

Pratt, Calvin
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Price, Pamela
Ryder, Donald
Spaulding, Jayne
Willette, Robert

MERRIMACK

Anderson, Eric
Hess, David
McGuire, Carol

Blankenbeker, Lynne
Kidder, David
Palfrey, David

Clarke, Claire
Kotowski, Frank
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Smith, Todd

ROCKINGHAM

Allen, Mary
Bettencourt, David
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Gleason, John
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John

Baldasaro, Alfred
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth

Bates, David
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt
Scamman, Stella

Belanger, Ronald
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hagan, Joseph
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Sedensky, John
Tucker, Pamela
Weyler, Kenneth

Smith, William
Weare, Everett

Stiles, Nancy
Welch, David

STRAFFORD

Bickford, David
Sprague, Dale

Browne, Brendon
Twombly, James

Groen, Warren
Vita, Carol

Price, Susan

SULLIVAN

Cunningham, Steven
and the majority committee report was adopted.
Ordered to third reading.

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Marjorie Smith moved that the House reconsider its action whereby it adopted the majority committee report on ***SB 450-FN***, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

Rep. Marjorie Smith spoke against.

Rep. Patrick Garrity requested a roll call; sufficiently seconded.

YEAS 163 NAYS 192

YEAS 163

BELKNAP

Bolster, Peter
Millham, Alida
St. Cyr, Jeffrey

Boyce, Laurie
Nedeau, Stephen
Swinford, Elaine

Fields, Dennis
Pilliod, James
Wendelboe, Fran

Flanders, Donald
Russell, David

CARROLL

Ahlgren, Christopher
McConkey, Mark
Stevens, Stanley

Chandler, Gene
Patten, Betsey
Umberger, Karen

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Roberts, Kris

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingbreton, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Doherty, Shaun
Emerton, Larry
Haefner, Robert
Hinkle, Peyton
Hopper, Gary
McCarthy, Michael
Ober, Lynne
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

Belvin, William
Christiansen, Lars
Dokmo, Cynthia
Gagne, Larry
Hawkins, Ken
Hogan, Edith
Infantine, William
Mead, Robert
Ober, Russell III
Peterson, Andrew
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Bergin, Peter
Daniels, Gary
Drisko, Richard
Gargas, Carolyn
Hikel, John
Holden, Frank
Jasper, Shawn
Moran, Edward
Palmer, Stephen
Price, Pamela
Ryder, Donald
Spaulding, Jayne
Willette, Robert

Cebrowski, John
Day, Russell
Elliott, Nancy
Graham, John
Hinch, Richard
Holden, Rip
Kurk, Neal
O'Brien, William
Pellegrino, Tony
Ramsey, Peter
Seidel, Carl
Ulery, Jordan

MERRIMACK

Anderson, Eric
Kidder, David
Palfrey, David

Blankenbeker, Lynne
Kotowski, Frank
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Smith, Todd

Hess, David
McGuire, Carol

ROCKINGHAM

Allen, Mary
Bettencourt, David
Comerford, Timothy
DiFruscia, Anthony
Ferrante, Beverly
Griffin, Mary
Howard, Doreen
Itse, Daniel
Major, Norman
Packard, Sherman
Quandt, Matt

Baldasaro, Alfred
Bridle, Russell
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Hagan, Joseph
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Rausch, James

Bates, David
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Reagan, John

Belanger, Ronald
Charron, Gene
Devine, James
Emiro, Frank
Garrity, James
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Priestley, Anne
Sanders, Elisabeth

Scamman, Stella

Stiles, Nancy

Welch, David

Scamman, W.
Douglas Jr

Sullivan, James

Wells, Roger

Sedensky, John

Tucker, Pamela

Weyler, Kenneth

Smith, William

Weare, Everett

STRAFFORD

Bickford, David
Twombly, James

Groen, Warren
Vita, Carol

Price, Susan

Sprague, Dale

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 192

BELKNAP

Arsenault, Beth
Stuart, Richard

Johnson, William

Merry, Liz

Miller, Kate

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Butynski, William
Lindsey, Steven
Richardson, Barbara

Burridge, Delmar
Carlson, Nancy
Meador, David
Robertson, Timothy

Butcher, Suzanne
Carr, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Preston, Philip
White, Andrew

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Caron, June
Cote, David
Garrity, Patrick
Gorman, Mary
Hardy, Valerie
Judy, Jean
Komi, Richard
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Brien, Michael Sr

Beaulieu, Jane
Chandley, Shannon
Craig, James
Gidge, Kenneth
Hackel, Paul
Harvey, Philip
Kelley, John
Kopka, Angeline
Lisle, Carolyn
Messier, Irene
O'Neil, James

Beck, Catriona
Chase, Claudia
Flurey, Joan
Ginsburg, Ruth
Haley, Robert
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Mack, Ron
Movsesian, Lori
Pilotte, Maurice

Campbell, David
Chininis, Alexis
Foster, Linda
Goley, Jeffrey
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Levasseur, Nickolas
Marshall, Seth
Nixon, David
Poznanski, Brian

Pratt, Calvin
Shattuck, Gilman
Walsh, Robert Jr

Rhodes, Brian
Shaw, Barbara
Williams, Carol

Rosenwald, Cindy
Sullivan, Daniel
Winters, Joel

Schulze, Joan
Thompson, Robert

MERRIMACK

Bartlett, Michael
DeJoie, John
Gile, Mary
Osborne, Jessie
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

Bouchard, Candace
DeStefano, Stephen
Hamm, Christine
Owen, Derek
Richardson, Gary
Stetson, William
Walz, Mary Beth
Williams, Robert

Clarke, Claire
Foose, Robert
Kelly, Sally
Porter, Margaret
Rodd, Beth
Tilton, Joy
Watrous, Rick
Yeaton, Charles

Davis, Frank
French, Barbara
McMahon, Patricia
Potter, Frances
Schuett, Dianne
Tupper, Frank
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Cushing, Robert
Gould, Kenneth
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Webber, Carolyn

Borden, David
Day, Judith
Henson, John
Mann, Maureen
Nord, Susi
Russell, Trinka

Brown, C. Pennington
DiPentima, Rich
Hutchinson, Gina
McCarthy, Barbara
Pantelakos, Laura
Schlachman, Donna

Casey, Kimberley
Gleason, John
Kepner, Susan
McEachern, Paul
Petterson, Don
Splaine, James

STRAFFORD

Berube, Roger
Cyr, James
Hubbard, Pamela
Perry, Robert
Ryder, Mark
Vachon, Dennis

Brown, Larry
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

Burke, Rachel
Horrigan, Timothy
Lauterborn, Elaine
Rous, Emma
Spang, Judith
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia
and the motion failed.

MOTION TO TAKE UP BILLS OUT OF ORDER

Rep. Wallner moved that the House take up the bills from the Regular Calendar without debate before the bills with debate.

Rep. Vaillancourt spoke against.

Rep. Nancy Elliott requested a roll call; sufficiently seconded.

YEAS 222 NAYS 102

YEAS 222

BELKNAP

Bolster, Peter
Johnson, William
Pilliod, James

Boyce, Laurie
Miller, Kate
Stuart, Richard

Fields, Dennis
Millham, Alida
Wendelboe, Fran

Flanders, Donald
Nedeau, Stephen

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Fleck, Joseph	Knox, J. David	McConkey, Mark	Patten, Betsey
Scala, Dino	Stevens, Stanley	Wiley, Susan	

CHESHIRE

Butcher, Suzanne	Butterworth, Timothy	Butynski, William	Carr, Daniel
Lerandeau, Alfred	Lindsey, Steven	Meador, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Robertson, Timothy	Sad, Tara
Weber, Lucy			

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Rappaport, Laurence
Remick, William	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Laberte, Suzanne
Mulholland, Catherine	Nordgren, Sharon	Pierce, David	Preston, Philip
Smith, Suzanne	Taylor, Kathleen	Townsend, Charles	Williams, Burton

HILLSBOROUGH

Baroody, Benjamin	Beck, Catriona	Belvin, William	Campbell, David
Caron, June	Cebrowski, John	Chandlee, Shannon	Chininis, Alexis
Cote, David	Daniels, Gary	Day, Russell	Doherty, Shaun
Dokmo, Cynthia	Drisko, Richard	Emerton, Larry	Flurey, Joan
Foster, Linda	Garrity, Patrick	Gidge, Kenneth	Ginsburg, Ruth
Goley, Jeffrey	Hackel, Paul	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hawkins, Ken	Hikel, John
Hodges, Kevin	Judy, Jean	Kelley, John	Knowles, John
Knowles, Mary Ann	Komi, Richard	Kopka, Angeline	LaPlante, Roland
Levasseur, Nickolas	Levesque, Melanie	Lisle, Carolyn	Mack, Ron
Marshall, Seth	Matarazzo, Anthony Sr	Moran, Edward	Movsesian, Lori
O'Brien, Michael Sr	O'Neil, James	Ober, Lynne	Ober, Russell III
Pilotte, Maurice	Poznanski, Brian	Price, Pamela	Rhodes, Brian
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Sullivan, Daniel	Thompson, Robert	Villeneuve, Moe	Walsh, Robert Jr

MERRIMACK

Bartlett, Michael	Bouchard, Candace	Clarke, Claire	Coffey, Jennifer
Davis, Frank	Foose, Robert	French, Barbara	Gile, Mary
Hamm, Christine	Hess, David	Kelly, Sally	Kidder, David
Lockwood, Priscilla	McMahon, Patricia	Osborne, Jessie	Palfrey, David
Porter, Margaret	Potter, Frances	Reed, Dennis	Rice, Chip
Richardson, Gary	Rodd, Beth	Schuett, Dianne	Shurtleff, Stephen
Stetson, William	Tilton, Joy	Tupper, Frank	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	Wheeler, Deborah
Williams, Robert	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis
Case, Frank
Day, Judith
Dowling, Patricia
Garrity, James
Henson, John
McEachern, Paul
Packard, Sherman
Read, Robin Jr
Scamman, W.
Douglas Jr
Weare, Everett

Allen, Mary
Casey, Kimberley
Devine, James
Elliott, Robert
Gleason, John
Kepner, Susan
McKinney, Betsy
Pantelakos, Laura
Russell, Trink
Schlachman, Donna

Webber, Carolyn

Borden, David
Crisler, Margaret
DiFruscia, Anthony
Emiro, Frank
Gould, Kenneth
Mann, Maureen
Moody, Marcia
Petterson, Don
Sanders, Elisabeth
Splaine, James

Welch, David

Brown, C. Pennington
Cushing, Robert
DiPentima, Rich
Flanders, John Sr
Griffin, Mary
McCarthy, Barbara
Nord, Susi
Priestley, Anne
Scamman, Stella
Stiles, Nancy

STRAFFORD

Brown, Larry
Keans, Sandra
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Burke, Rachel
Perry, Robert
Rous, Emma
Spang, Judith
Watters, David

Hubbard, Pamela
Price, Susan
Ryder, Mark
Sprague, Dale

Kaen, Naida
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Houde-Quimby,
Charlotte
Sweeney, Cynthia

Donovan, Thomas Jr
McClammer, Jim

Gottling, Suzanne
Osgood, Joe

Harris, Sandra
Skinder, Carla

NAYS 102

BELKNAP

Russell, David

St. Cyr, Jeffrey

Swinford, Elaine

CARROLL

Chandler, Gene

Roberts, John

Umberger, Karen

CHESHIRE

Burridge, Delmar
Laurent, John

Emerson, Susan
Sterling, Franklin Jr

Hunt, John

Johnson, Jane

COOS

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond

Ingretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Elliott, Nancy
Haefner, Robert
Holden, Rip
Kurk, Neal
O'Brien, William

Bergin, Peter
Gagne, Larry
Hinkle, Peyton
Hopper, Gary
McCarthy, Michael
Palmer, Stephen

Christensen, Chris
Gargasz, Carolyn
Hogan, Edith
Infantine, William
Mead, Robert
Pellegrino, Tony

Craig, James
Graham, John
Holden, Frank
Jasper, Shawn
Messier, Irene
Peterson, Andrew

Pratt, Calvin
Seidel, Carl
Ulery, Jordan

Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

Rowe, Robert
Soucy, Connie
Willette, Robert

Ryder, Donald
Spaulding, Jayne
Winters, Joel

MERRIMACK

Anderson, Eric

Blankenbeker, Lynne

Kotowski, Frank

McGuire, Carol

ROCKINGHAM

Baldasaro, Alfred
Bridle, Russell
Fesh, Robert
Howard, Doreen
Introne, Robert
Kolodziej, Walter
Nevins, Chris
Rausch, James
Sullivan, James

Bates, David
Charron, Gene
Hagan, Joseph
Hutchinson, Gina
Itse, Daniel
Lyons, Melissa
Perkins, Amy
Reagan, John
Tucker, Pamela

Belanger, Ronald
Comerford, Timothy
Headd, James
Hutchinson, Karen
Kappler, L. Mike
Major, Norman
Perkins, Lawrence
Sedensky, John
Wells, Roger

Bettencourt, David
Ferrante, Beverly
Hoelzel, Kathleen
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Quandt, Matt
Smith, William
Weyler, Kenneth

STRAFFORD

Bickford, David
Lauterborn, Elaine

Browne, Brendon
Vita, Carol

Groen, Warren

Horrigan, Timothy

SULLIVAN

Cunningham, Steven Rodeschin, Beverly
and the motion was adopted.

REGULAR CALENDAR (CONT'D)

SB 485-FN-A, relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter R. Leishman for Finance: On October 4, 2009, court security officers ratified an agreement with the judicial branch to increase the daily reimbursement rate for court officers from \$65 to \$80 for each full day and from \$35 to \$40 for each half day for fiscal year 2010. The rate increases to \$85 for a full day beginning on January 1, 2011 and \$45 for a half day. SB 485 was introduced to provide funding outside of the biennial budget process for this contract. The committee determined that equity would require that the daily rate for sheriff officers be increased to \$80 from \$65 per day and \$40 for half days. The cost for these increases will be funded from existing judicial branch appropriations. Vote 14-10.

Amendment (1907h)

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

AN ACT relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch, and relative to state reimbursement of county sheriffs costs.

Amend the bill by replacing all after section 1 with the following:

2 Cost Items; Funding. For the biennium ending June 30, 2011, the judicial branch shall fund the cost items ratified in section 1 of this act within its existing appropriations.

3 Fees of Sheriffs and Deputy Sheriffs; State Reimbursement; Court Security. Amend RSA 104:31, X to read as follows:

X. The state shall reimburse the sheriff's office *for court security*, within available funds appropriated by the legislature, [~~\$65~~] **\$80** for each full day and [~~\$35~~] **\$40** for each half day, plus traveling expenses to attend any official business, for any person employed as a

bailiff by the sheriff's office. For the purpose of this paragraph, a half day shall be defined as a day in which a bailiff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing court bailiffs, if those costs are the result of job requirements imposed by federal and state governments.

4 New Paragraph; Fees of Sheriffs and Deputy Sheriffs; State Reimbursement; Prisoner Custody and Control. Amend RSA 104:31 by inserting after paragraph XI the following new paragraph:

XI. The state shall reimburse the sheriff's office for prisoner custody and control, within available funds appropriated by the legislature, \$65 for each full day and \$35 for each half day, plus traveling expenses to attend any official business, for any person employed as a sheriff for prisoner custody and control. For the purpose of this paragraph, a half day shall be defined as a day in which a sheriff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing sheriffs, if those costs are the result of job requirements imposed by federal and state governments.

5 Funding; State Reimbursement; County Sheriffs; Court Security. For the biennium ending June 30, 2011, the judicial branch shall fund the increase in state reimbursement rates for court bailiffs under RSA 104:31, X as amended by section 3 of this act within its existing appropriations.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill ratifies the cost items and terms and conditions of employment contained in a collective bargaining agreement affecting court security officers of the judicial branch. The bill also modifies the state reimbursement of county sheriffs employed in court security and prisoner custody and control.

On a division vote, 194 members having voted in the affirmative and 112 in the negative, the committee amendment was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 187 members having voted in the affirmative and 121 in the negative, the committee report was adopted.

Ordered to third reading.

CACR 32, relating to clarification of certain language. Providing that all references to people in the constitution shall refer to both male and female. **REFER FOR INTERIM STUDY.**

Rep. Lucy M. Weber for Judiciary: CACR 32 would make the language of the constitution more inclusive by making current gender-specific terms, such as "he," "him" or "himself," gender neutral. Currently, RSA 663:3 requires the entire text of any constitutional amendment to be put before the voters for ratification. An attempt was made with a separate bill to create a statutory exception solely for an amendment that made the language gender-neutral, without changing the meaning of the constitution. That effort failed. If CACR 32 passes, it will have to be printed in full on a ballot, resulting in a ballot approximately five double-sided pages long. CACR 32 had no fiscal note, but inquiries at the secretary of state's office indicate that the cost of such a ballot could well exceed half a million dollars. Many in the majority very much favor the gender neutral language, but cannot justify the expense at a time when social services, the court system, funds for education and many other important programs are all strained to the limit. Interim study allows for consideration of how best to proceed with a cost-effective method to put this question to the voters. Vote 14-3.

On a division vote, 281 members having voted in the affirmative and 17 in the negative, the committee report was adopted.

SB 356-FN, relative to civil actions in the trial courts. **REFER FOR INTERIM STUDY.**
Rep. Lucy M. Weber for Judiciary: This bill, introduced at the request of the Judicial Branch, would have changed statutes regarding the commencement of civil suits. The committee agreed with the admirable goal of simplifying the process, particularly for pro se litigants. However, committee members had several concerns with the bill. The majority of the committee was concerned with the process of enacting statutory changes conditional on the adoption of new rules of civil procedure which will not be enacted until early in 2011. Some committee members were not persuaded that adopting a process closer to the federal rules would actually simplify the process. Yet another concern was with potential conflicts with Part II, Article 87 of the constitution which contains specific requirements for the form of writs. Vote 14-3.
Committee report adopted.

SB 425-FN, relative to exemptions to the right-to-know law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Gary B. Richardson for the Majority of Judiciary: This bill repeals a special exemption from the right-to-know law for telephone utilities in matters being regulated by the public utilities commission. The bill would also require the PUC to adopt rules to protect privileged, confidential, commercial or financial information from public disclosure in routine filings. A bipartisan majority of the committee believes that telecommunication companies should be treated under RSA 91-A in the same manner as all other utilities. The majority also believes that the PUC has and will continue to achieve the appropriate balance to protect proprietary information while at the same time preserving the public's right to disclosure of non-proprietary information. Vote 16-2.
Rep. William B. Smith for the Minority of Judiciary: Local telephone companies have basic service requirements set by the state to provide low cost service that assures affordable telephone service to low income subscribers. Meeting their requirements traditionally has been accomplished through internal subsidies, which is only feasible in a regulated monopoly market. Currently, local telephone companies are losing subscribers to competitive wireless and cable suppliers of local service. In this sense, local phone companies differ from other utilities. The minority is concerned that public utilities commission procedures for protection of proprietary market information from local phone companies may be insufficient, and serve to damage local phone companies in profitable situations, thereby affecting the sources of subsidies needed to fund basic service for low income subscribers.

The question being adoption of the majority committee report of Ought to Pass.
On a division vote, 236 members having voted in the affirmative and 61 in the negative, the majority committee report was adopted.
Ordered to third reading.

SB 323, requiring the public utilities commission to study certain energy policy issues. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Suzanne Harvey for Science, Technology and Energy: This bill approves a review and analysis of and recommendations for state programs and incentives regarding energy efficiency, conservation, demand response and sustainable energy. The committee's amendments to the senate bill specify that rather than having state organizations conduct the study, an independent consultant with appropriate expertise be hired at no more than \$300,000. These funds are not new appropriations; rather, they exist in the utilities core program under a "monitoring and evaluation" budget line that equals 5% of the core fund, which is paid into by ratepayers. The bi-partisan 11-3 vote of the committee shows favor for an in-depth look at how we're spending these various funds and what improvements can be made going forward. A final report will be due November, 1, 2011. Vote 11-3.

Amendment (1705h)

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

1 Public Utilities Commission; Study of Energy Policy Issues.

I. The public utilities commission shall contract for an independent study, through means of a nonadjudicative investigation utilizing a broad collaborative process, regarding legislative, regulatory, and market-based policy options to address the following issues:

(a) A comprehensive review and analysis of energy efficiency, conservation, demand response, and sustainable energy programs and incentives in the state, and recommendations for possible improvements to maximize their effectiveness and increase coordination of those programs and incentives.

(b) The appropriate role of regulated energy utilities, providers of energy and energy efficiency, and others in helping the state and consumers achieve the state's energy efficiency potential for all fuels.

(c) The effectiveness and sustainability of all funds available to stimulate investment in energy efficiency and clean energy to advance the state's energy goals.

(d) Policy changes that may be necessary in order to achieve the state's energy efficiency and sustainable energy goals and to create the most cost-effective delivery systems to ensure optimum use of state funds, initiatives, and programs.

II. The public utilities commission shall work in cooperation and close consultation with the energy efficiency and sustainable energy board in choosing an independent consultant and managing the development of the study.

III. The cost of the study shall not exceed \$300,000, and shall be performed by an independent entity with expertise in energy efficiency, sustainable energy, program design and implementation, and evolving energy technologies. The public utilities commission shall utilize in the first instance available funding for monitoring, evaluation, and verification of existing programs, to the extent feasible, in support of this study. The commission may supplement these funds as needed by utility assessment pursuant to RSA 365:37.

IV. The public utilities commission shall submit the results of the study to the senate president, the speaker of the house of representatives, the chairs of the senate energy, environment and economic development committee and the house science, technology and energy committee, and the energy efficiency and sustainable energy board in an interim report on or before November 1, 2010 and a final report on or before November 1, 2011. All reports shall also be posted on the public utilities commission website.

V. The energy efficiency and sustainable energy board shall provide its recommendations, upon review of the comprehensive study, to the senate president, the speaker of the house of representatives, and the chairs of the senate energy, environment and economic development committee and the house science, technology and energy committee as soon as practicable.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the public utilities commission to contract for an independent study of certain energy policy issues and submit the results of its study to the energy efficiency and sustainable energy board.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 199 members having voted in the affirmative and 105 in the negative, the committee report was adopted.

Ordered to third reading.

SB 382, relative to the New Hampshire natural plant protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W. Almy for the Majority of Ways and Means: This bill, as received from the first committee, made improvements to the procedures of the native plant act, including the creation of rulemaking authority to set fees for services to the public that now carry a blanket rate of \$25 per service, no matter how small or large the service. The committee looked at their tentative fee structure, their budget, and the language that would guide JLCAR in approving the fees, and the majority agreed it was sensible. Fees for requested larger services would increase under this measure, allowing the bureau to recoup the full cost of the person carrying them out. As a matter of general policy, the LBAO has been requested to check all fee requests coming to JLCAR for statutory compliance in the future. The \$60/hour suggested fee includes the entire cost of the employee's work, not simply the person, and is both reasonable and compatible with the current \$25 fee for simple services. The amendment simply adds the necessary statutory language for the dedicated fund created to assure users the fees will go only to the work of the bureau. Vote 13-7.

Rep. Jordan G. Ulery for the Minority of Ways and Means: Reasonable protection of native flora and fauna is important. The problem with this bill is not that protection. The problem is the assignment of excessive fees approved by rules, not by the legislature. The minority applauds the recent inclusion of the LBAO in the rules process, but is extremely concerned with the proposed \$60 per hour portal-to-portal fee for on-site property examinations, the lack of clear direction that other state agencies would not be charged and oversight of fee increases which should be the purview of the Ways and Means Committee.

Majority Amendment (1937h)

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 12:

11 New Subparagraph; Natural Heritage Bureau Fund. Amend RSA 6:12, II(b) by inserting after subparagraph (299) the following new subparagraph:

(300) Moneys deposited in the natural heritage bureau fund established in RSA 217-A:7-a.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Groen requested a roll call; sufficiently seconded.

YEAS 169 NAYS 143

YEAS 169

BELKNAP

Bolster, Peter
St. Cyr, Jeffrey

Johnson, William

Miller, Kate

Millham, Alida

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

CHESHIRE

Burrige, Delmar
Carr, Daniel
Richardson, Barbara
Weber, Lucy

Butcher, Suzanne
Lerandeau, Alfred
Roberts, Kris

Butterworth, Timothy
Meador, David
Robertson, Timothy

Butynski, William
Mitchell, Bonnie
Sad, Tara

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Mulholland, Catherine
Smith, Suzanne

Almy, Susan
Friedrich, Carol
Nordgren, Sharon
Taylor, Kathleen

Benn, Bernard
Harding, Laurie
Pierce, David
Townsend, Charles

Cooney, Mary
Laliberte, Suzanne
Preston, Philip

HILLSBOROUGH

Baroody, Benjamin
Chandley, Shannon
Flurey, Joan
Ginsburg, Ruth
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Levasseur, Nickolas
Marshall, Seth

Beaulieu, Jane
Chininis, Alexis
Foster, Linda
Goley, Jeffrey
Hardy, Valerie
Jeady, Jean
Komi, Richard
Levesque, Melanie
Matarazzo, Anthony
Sr
Pilote, Maurice
Schulze, Joan
Thompson, Robert

Beck, Catriona
Cote, David
Garritty, Patrick
Gorman, Mary
Harvey, Philip
Kelley, John
Kopka, Angeline
Lisle, Carolyn
Messier, Irene
Poznanski, Brian
Shattuck, Gilman
Walsh, Robert Jr

Caron, June
Craig, James
Gidge, Kenneth
Hackel, Paul
Harvey, Suzanne
Knowles, John
LaPlante, Roland
Mack, Ron
Movsesian, Lori

O'Neil, James
Rosenwald, Cindy
Spaulding, Jayne

Rhodes, Brian
Shaw, Barbara

MERRIMACK

Bartlett, Michael
Foose, Robert
Kelly, Sally
Porter, Margaret
Rodd, Beth
Tilton, Joy
Webb, Leigh

Bouchard, Candace
French, Barbara
Lockwood, Priscilla
Potter, Frances
Schuett, Dianne
Wallner, Mary Jane
Wheeler, Deborah

Clarke, Claire
Gile, Mary
McMahon, Patricia
Rice, Chip
Shurtleff, Stephen
Walz, Mary Beth
Williams, Robert

Davis, Frank
Hamm, Christine
Osborne, Jessie
Richardson, Gary
Stetson, William
Watrous, Rick
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Case, Frank
DiFruscia, Anthony
Kepner, Susan
Moody, Marcia
Russell, Trinkia

Bettencourt, David
Casey, Kimberley
DiPentima, Rich
Lyons, Melissa
Nord, Susi
Schlachman, Donna

Borden, David
Cushing, Robert
Henson, John
McCarthy, Barbara
Pantelakos, Laura
Splaine, James

Brown, C. Pennington
Day, Judith
Hutchinson, Gina
McEachern, Paul
Petterson, Don
Webber, Carolyn

STRAFFORD

Brown, Larry
Hubbard, Pamela
Perry, Robert
Rous, Emma
Spang, Judith
Watters, David

Browne, Brendon
Kaen, Naida
Price, Susan
Ryder, Mark
Vachon, Dennis

Burke, Rachel
Keans, Sandra
Rogers, Rose Marie
Schmidt, Peter
Wall, Janet

Horrigan, Timothy
Lauterborn, Elaine
Rollo, Deanna
Smith, Marjorie
Ward, Kenneth

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Charlotte

NAYS 143

BELKNAP

Boyce, Laurie
Pilliod, James

Fields, Dennis
Russell, David

Flanders, Donald
Swinford, Elaine

Nedeau, Stephen
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Patten, Betsey
Wiley, Susan

Fleck, Joseph
Roberts, John

Knox, J. David
Scala, Dino

CHESHIRE

Emerson, Susan
Parkhurst, Henry

Hunt, John
Sterling, Franklin Jr

Johnson, Jane

Laurent, John

COOS

Rappaport, Laurence

Remick, William

Stohl, Eric

Tholl, John Jr

GRAFTON

Gionet, Edmond
Williams, Burton

Ingretson, Paul

Ladd, Rick Jr

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Dokmo, Cynthia
Graham, John
Hinkle, Peyton
Hopper, Gary
Mead, Robert
Ober, Russell III
Pratt, Calvin
Ryder, Donald
Vaillancourt, Steve

Belvin, William
Daniels, Gary
Drisko, Richard
Haefner, Robert
Hogan, Edith
Jasper, Shawn
Moran, Edward
Palmer, Stephen
Price, Pamela
Seidel, Carl
Villeneuve, Moe

Bergin, Peter
Day, Russell
Gagne, Larry
Hawkins, Ken
Holden, Frank
Kurk, Neal
O'Brien, William
Pellegrino, Tony
Renzullo, Andrew
Soucy, Connie
Willette, Robert

Cebrowski, John
Doherty, Shaun
Gargasz, Carolyn
Hikel, John
Holden, Rip
McCarthy, Michael
Ober, Lynne
Peterson, Andrew
Rowe, Robert
Ulery, Jordan
Winters, Joel

MERRIMACK

Anderson, Eric
Kidder, David
Reed, Dennis

Blankenbeker, Lynne
Kotowski, Frank

Coffey, Jennifer
McGuire, Carol

Hess, David
Palfrey, David

ROCKINGHAM

Allen, Mary
Charron, Gene
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Itse, Daniel
Major, Norman

Baldasaro, Alfred
Comerford, Timothy
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McKinney, Betsy

Bates, David
Crisler, Margaret
Emiro, Frank
Garrity, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles

Bridle, Russell
Devine, James
Ferrante, Beverly
Gleason, John
Headd, James
Introne, Robert
Kolodziej, Walter
Nevins, Chris

Packard, Sherman
Reagan, John

Priestley, Anne
Sanders, Elisabeth

Quandt, Matt
Scamman, Stella

Rausch, James
Scamman, W.
Douglas Jr
Sullivan, James
Wells, Roger

Sedensky, John
Tucker, Pamela
Weyler, Kenneth

Smith, William
Weare, Everett

Stiles, Nancy
Welch, David

STRAFFORD

Bickford, David

Groen, Warren

Sprague, Dale

Vita, Carol

SULLIVAN

Cunningham, Steven
and the majority committee report was adopted.
Ordered to third reading.

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

SB 483-FN-A, relative to the interpretation of Internal Revenue Code section 1031 as it relates to taxation under the business profits tax. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Dennis P. Vachon for the Majority of Ways and Means: This bill establishes a special rule for purposes of taxation under the business profits tax for exchanges of like kind property under Internal Revenue Code section 1031. The special rule would allow owners of property in a like kind exchange to utilize a single member limited liability company, revocable trust or other entity disregarded for federal tax purposes as the recipient entity in a section 1031 exchange, thereby deferring taxation on any gain under the business profits tax the same way they are allowed to do under the Federal Tax Code. The committee recognizes that the current inability of New Hampshire taxpayers to utilize these entities without experiencing an immediately taxable event has limited some economic opportunities for them. In particular, the committee heard testimony that the use of single member limited liability companies is often required in so-called tenants in common transactions, or exchanges involving the purchase of oil and gas leases, or in conduit financing. It is also often an issue where lenders financing the replacement property require a new, freshly created single member limited liability company in order to provide them bankruptcy protection against the borrower. The Department of Revenue Administration testified that it has outstanding assessments of \$5 million relating to the subject matter of this bill. Because this bill applies retroactively to the taxable period that began on or after January 1, 2004, the outstanding assessments would be eliminated and those transactions would enjoy deferred tax status going forward. All other such transactions that occurred since January 1, 2004, the onset of recognition of single member limited liability companies by the state of New Hampshire, would similarly enjoy tax deferred status on any gain going forward. SB 483 as amended by the committee clarifies that allowing such transfers to entities that are disregarded for federal tax purposes is only for the purpose of section 1031 exchanges and shall not apply to other taxes or transactions subject to taxation under the business profits tax. Vote 18-2.

Rep. David J. Bettencourt for the Minority of Ways and Means: The minority appreciates the considerable work that the committee put into this legislation. Unfortunately the minority is uncomfortable recommending passage of the amendment (which replaced the original legislation) without it being fully vetted by a tax attorney or taxation expert. Several members of the majority are comfortable moving this legislation along the legislative process despite considerable confusion about the amendment. The minority is not. We are not unequivocally asserting that this legislation would not accomplish the important goal of reconciling a conflict between federal tax law and the Department of Revenue Administration's interpretation of New Hampshire tax law with respect to IRC section 1031, like-kind exchanges. The problem is that with several alterations occurring at the "eleventh

hour” we are not confident that we have the necessary information and feedback on the long-term ramifications of the amendment to recommend passage at this time. There is no question that taxpayers who have been adversely affected by the interpretations of the DRA require relief. Again, the minority simply does not believe that we have enough expert information on the long-term affects of the amendment to be confident that this legislation would adequately provide relief for those taxpayers.

Majority Amendment (1924h)

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

1 New Section; Special Rule for Exchanges of Like-Kind Property Under Internal Revenue Code Section 1031. Amend RSA 77-A by inserting after section 4-a the following new section:

77-A:4-b Special Rule for Exchanges of Like-Kind Property Under Internal Revenue Code Section 1031.

I. In the case of a qualified like-kind exchange under Internal Revenue Code section 1031, in which a business organization uses a single member limited liability company, revocable trust, or other entity disregarded for federal income tax purposes as the recipient of replacement property, the recipient entity shall take the basis of the relinquished property as held by the parent business organization, prior to the exchange, as computed for federal income tax purposes.

II. The recipient of the replacement property, for all other purposes, and in keeping with the requirements of separate entity taxation under this chapter, shall be a business organization, as defined in RSA 77-A:1, I and subject to the provisions of RSA 77-A.

2 Applicability. This act shall apply to any taxable period that began on or after January 1, 2004.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill recognizes Internal Revenue Code section 1031 like-kind exchanges which use federally disregarded entities as the recipient of replacement property, but emphasizes the character of such entities as separate entities for purposes of New Hampshire business profits tax.

On a division vote, 205 members having voted in the affirmative and 108 in the negative, the majority committee amendment was adopted.

Majority committee report adopted and ordered to third reading.

SB 392-FN, requiring public hearings concerning health care cost increases in health care services and relative to hospital billing for services to uninsured patients. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susi Nord for Commerce and Consumer Affairs: This bill has two parts. The first section creates an annual public hearing at the department of insurance designed to more deeply investigate the factors influencing health insurance rate increases and the second part implements a system for those without health insurance to be charged by hospitals an amount similar to what they receive from insurance companies for treatment. The current rate review system at the department of insurance does not provide opportunity for the department to systematically discern all of the different factors that impact medical trends and how those factors relate to rate increases. The public hearing process will enable the department to request more information from carriers about specific factors, will allow public discussion of the relationship between rates, costs, and charges and will enable further illumination of how administrative practices influence medical trend. Section two puts into statute practices that most of the hospitals are already voluntarily offering to patients without insurance. It sets a ceiling for what hospitals may charge those who have no insurance and it requires that disclosure of the availability of financial assistance be given to patients without insurance. Most hospitals offer greater discounts to patients with few

financial resources than the bill proposes, however this bill will guarantee that all uninsured patients receive at least a minimum discount and that they will also be notified of financial assistance programs available and how to apply for further payment assistance if needed.
Vote 11-7.

Amendment (1586h)

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

AN ACT requiring public hearings concerning health insurance cost increases in health care services.

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

1 New Paragraph; Insurance; Requested Information. Amend RSA 420-G:14-a by inserting after paragraph IV the following new paragraphs:

V. The commissioner shall hold an annual public hearing concerning premium rates in the health insurance market and the factors, including health care costs and cost trends, that have contributed to rate increases during the prior year. The commissioner shall evaluate claims costs, administrative loads, and health carrier profits. The commissioner shall identify the factors that contribute to cost increases affecting health insurance premiums and health care services in New Hampshire. The commissioner shall identify variations in the price that health carriers pay for health care services and shall undertake further analysis to determine whether the observed price variations correlate to the sickness or the complexity of the population served, the relative proportion of patients on Medicare or Medicaid that are served by the health care provider, the cost to the health care provider of delivering the service, or the relative proportion of free or reduced care provided to the uninsured. In advance of holding the public hearing, the commissioner may require any health insurer or third party administrator to produce documents and information deemed necessary and relevant to evaluate the factors that contribute to cost growth in health care services, increased utilization of health care, and health insurance premium costs. The commissioner shall keep confidential all nonpublic documents and shall not disclose those documents without the consent of the health care provider or health care payer that produced the information or documents. The commissioner may compel a health insurance carrier or third party administrator to testify at the annual public hearing. The commissioner may also invite representatives of health care providers to provide relevant information.

VI. The commissioner shall prepare an annual report concerning premium rates in the health insurance market and the factors that have contributed to rate increases during the prior year. The annual report shall be designed to provide information which identifies and quantifies health care spending trends and the underlying factors that contributed to increases in health insurance premiums. The report shall include recommendations and strategies for increasing the efficiency of New Hampshire's health care financing and delivery system. The report shall be based on the commissioner's analysis of information and data available to the commissioner, the testimony at the public hearing, and any other information or documents submitted in connection with the public hearing. The commissioner shall submit the annual report to the governor, the president of the senate, and the speaker of the house of representatives. The report shall be submitted by November 1 of each year.

VII. In conjunction with the annual public hearing required under paragraph V and the report and recommendations required under paragraph VI, the commissioner shall consider any pertinent work of other legislative commissions and inquires focused on related matters.

2 New Section; Hospital Rates for Self-Pay Patients. Amend RSA 151 by inserting after section 12-a the following new section:

151:12-b Hospital Rates for Self-Pay Patients. When billing self-pay patients for a service rendered, a hospital, as defined in RSA 151-C:2, shall accept as payment in full an

amount no greater than the amount generally billed and received by the hospital for that service for patients covered by health insurance. A hospital shall determine the amount generally billed to health carriers in a manner consistent with Section 9007 of the Patient Protection and Affordable Care Act of 2009. A hospital shall provide written notice to a self-pay patient in advance of providing a service and at the time the service is billed regarding the requirements under this section.

3 Repeal. RSA 420-G:14-a, V-VII, relative to an annual public hearing and report on health insurance costs and trends, are hereby repealed.

4 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

II. Section 3 of this act shall take effect July 1, 2014.

III. The remainder of this act shall take effect July 1, 2010.

AMENDED ANALYSIS

This bill requires the insurance commissioner to hold an annual public hearing concerning health insurance costs to identify and quantify the factors contributing to cost increases in health care services in New Hampshire. The commissioner shall prepare an annual report to be submitted to the governor, the president of the senate, and the speaker of the house of representatives. The requirement for public hearings is repealed on July 1, 2014.

This bill also requires hospitals, when billing self-pay patients, to accept as payment in full an amount no greater than the amount generally billed and received by the hospital for that service.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 178 members having voted in the affirmative and 129 in the negative, the committee report was adopted.

Ordered to third reading.

SB 398-FN, relative to prohibited sales of alcoholic beverages. **OUGHT TO PASS.**

Rep. Shannon E. Chandley for Criminal Justice and Public Safety: The committee agrees that reducing the penalty from misdemeanor to violation is appropriate when a prohibited sale of alcohol occurs during a compliance check. Vote 12-3.

On a division vote, 243 members having voted in the affirmative and 66 in the negative, the committee report was adopted.

Ordered to third reading.

SB 453, relative to air quality in ice rinks. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for Criminal Justice and Public Safety: The majority of the committee finds it is unnecessary to address this issue with a criminal penalty. Persons harmed by poor air quality emissions have other venues of redress such as the fire department and the EPA, both of whom have safety standards related to environmental factors. There was no indication that ice resurfacing machines constitute a widespread problem in New Hampshire rinks. In addition, rink owners and managers are motivated to voluntarily maintain high, healthy standards because the success of their business depends on it. Vote 10-5.

Committee report adopted.

SB 311, relative to special education services for persons incarcerated and persons attending Granite State high school. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nancy F. Stiles for the Majority of Education: This bill clarifies the language of the special education bill passed in 2008 regarding the responsibility for special education in the county houses of corrections. The bill specifies that the houses of corrections play the role of

facilitator and not provider of special education services. This role includes communications to the department of education and the residential school district and providing time and space within the correctional facility to allow the school district to provide instruction and related special education services. Vote 17-2.

Rep. Rick M. Ladd for the Minority of Education: The minority is of the position that in order for the county corrections “contact person” to be effective in all matters as related to inmate’s eligible or receiving special education or related services, this bill should require the “contact person” to possess an established level of special education training. In order to collect and discuss an inmate’s identifiable information (IEP/handicap) the “contact person” should possess a basic understanding of special education procedures, policy, and confidentiality in accordance with established rule and law. The minority strongly supports the need for special education services in the correctional system.

Majority committee report adopted and ordered to third reading.

SCR 2, encouraging New Hampshire schools to adopt environmentally sound practices. **OUGHT TO PASS.**

Rep. Rachel B. Burke for Education: This bill was introduced on behalf of the legislative youth advisory council. The committee feels it is an important issue in respect to the students’ efforts in the legislative process and in regard to environmental issues. Vote 9-8. On a division vote, 179 members having voted in the affirmative and 129 in the negative, the committee report was adopted.

Ordered to third reading.

SB 339, excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services. **OUGHT TO PASS.**

Rep. Ken Hawkins for Executive Departments and Administration: This bill amends the mortgage licensing and services laws, RSA 397-A and 397-B, to allow governmental entities and qualified bona fide non-profit organizations to make and service loans for purchase of or improvement to residential property without requiring that the entity itself be licensed as a mortgage banker or broker. The changes to this law passed by the general court last year in response to the federal secure and fair enforcement or mortgage licensing (SAFE) act that the unintended consequence of requiring that such organization themselves be licensed, which would have subjected their volunteer boards of directors, or in the case of governmental entities, elected officials, to unnecessary and counterproductive scrutiny such as credit checks and fingerprinting. Individuals who engage in loan origination or servicing will still require licensing, including employees of governmental entities and qualified non-profit organizations. Vote 16-2.

Committee report adopted and ordered to third reading.

SB 470-FN, relative to retirement system service credit for employment as a full-time police officer with the university system of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John M. Reagan for Executive Departments and Administration: This bill allows more people to purchase service time in the short-funded by more than three billion dollar New Hampshire retirement system (NHRS). The committee approved amendment stops any “buy-ins” of service time out of state and in state. No evidence was offered that this would harm recruiting efforts to New Hampshire public employers. Any new employee may enter the NHRS and retain his or her financial interest in any previous enrolled system. A system actuary stated “it is almost never in the best interest of a system to allow buy-ins.” The legislature is responsible for protecting New Hampshire employers, the taxpayers, from more liabilities to the system. SB 470 is a small step towards increasing system financial stability now and in the future. Vote 14-3.

Amendment (1161h)

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

AN ACT relative to repealing the authority for retirement system members to purchase service credit for certain out-of-state service.

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

1 Repeal. The following are repealed:

I. RSA 100-A:4-b, relative to group I employees and teachers purchase of credit for out-of-state service.

II. RSA 100-A:4-c, relative to group II members purchase of credit for out-of state service.

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

AMENDED ANALYSIS

This bill repeals provisions which allow group I and group II members of the New Hampshire retirement system to purchase credit for out-of-state service.

Amendment adopted.

Committee report adopted and ordered to third reading.

SB 504-FN, relative to the effective date for the implementation of the retirement system employer assessments for excess benefits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia M. McMahon for the Majority of Executive Departments and Administration: The New Hampshire retirement system (NHRS) is conducting an “experience study” of benefits for retiring members which will be useful to determine future assessments on municipalities. This “experience study” will not conclude until this fall, therefore it would be beneficial to extend the effective date to July 1, 2011 for the implementation of assessments. The additional time will allow the NHRS to incorporate accurate and up to date information in creating the formula that will determine employer assessments. The study committee created by SB 108 will continue to review and explore areas that contribute to “spiking” of employee benefits and end of career financial enhancements. Both the experience study and the pension “spiking” review of SB 108 will simultaneously inform a deliberate, precise and equitable determination of obligations by each locality. Vote 14-5.

Rep. John M. Reagan for the Minority of Executive Departments and Administration: This bill extends the opportunity for localities and the state to reward employers who successfully encourage retirement filing before the now extended, July 1, 2011 deadline. After July 1, 2011, employers will be assessed by the retirement system for any retirement payout costs exceeding accrued actuarial liability for each retiring employee. (By delaying the implementation date the cost shift from the large communities to the small communities will continue.) The excuse of needing more time to improve the formula for computing the excess liability is belied by the three years the system has had to write the formula. This is what the actuaries are paid to create in their work for the system.

Majority Amendment (1572h)

Amend the bill by replacing section 1 with the following:

1 Retirement System; Effective Date; Employer Assessments. Amend 2008, 300:35, VII, as amended by 2009, 4:1, to read as follows:

VII. Sections 33 and 34 of this act shall take effect July 1, ~~2010~~ **2011**.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

On a division vote, 185 members having voted in the affirmative and 121 in the negative, the majority committee report was adopted.

Ordered to third reading.

RESOLUTION

Rep. Wallner offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, May 13, 2010 at 9:30 a.m.

On a division vote, 227 members having voted in the affirmative and 82 in the negative, the motion was adopted.

LATE SESSION

Third reading and final passage

SB 368, relative to notice required under the retail selling statute.

SB 408, relative to purchasing alliances.

SB 520-FN-L, relative to school district liability for special education costs.

SB 357-FN, authorizing the judicial retirement plan to deduct a health insurance premium contribution from allowances.

SB 491, relative to in-state preferences on state vendor contracts and criteria for debarment of vendors.

SB 73-FN, requiring the state government to reduce energy consumption in state buildings, to develop an energy conservation plan, and to make an annual report on the state's energy consumption.

SB 481, relative to appropriations for certain turnpike system projects.

SB 512-FN, relative to the community college system of New Hampshire.

SB 320, relative to occupational exposure to the human immunodeficiency virus.

SB 427, adding duties to the oversight committee on health and human services.

SB 518, relative to membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

SB 358-FN, relative to whistleblower protection and waste prevention in state government.

SB 416, relative to the state minimum hourly wage applicable to tipped restaurant employees.

SB 420, relative to the use of mail-order pharmacies for prescription drug benefits under accident and health insurance policies and plans, and establishing a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law.

SB 428, establishing a committee to study dispatch times within the enhanced 911 system.

SB 396-FN, limiting the use of child restraint practices in schools and treatment facilities.

SB 450-FN, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

SB 485-FN-A, relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch.

SB 425-FN, relative to exemptions to the right-to-know law.

SB 323, requiring the public utilities commission to study certain energy policy issues.

SB 382, relative to the New Hampshire natural plant protection act.

SB 483-FN-A, relative to the interpretation of Internal Revenue Code section 1031 as it relates to taxation under the business profits tax.

SB 392-FN, requiring public hearings concerning health care cost increases in health care services and relative to hospital billing for services to uninsured patients.

SB 398-FN, relative to prohibited sales of alcoholic beverages.

SB 311, relative to special education services for persons incarcerated and persons attending

Granite State high school.

SCR 2, encouraging New Hampshire schools to adopt environmentally sound practices.

SB 339, excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services.

SB 470-FN, relative to retirement system service credit for employment as a full-time police officer with the university system of New Hampshire.

SB 504-FN, relative to the effective date for the implementation of the retirement system employer assessments for excess benefits.

UNANIMOUS CONSENT

Rep. Harding addressed the House.

SPECIAL ORDERED

Without objection, the Speaker ordered the remainder of the bills on today's calendar be made Special Orders for the next session day, Thursday, May 13, 2010.

RECESS MOTION

Rep. Wallner moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 5:35 p.m.

RECESS

(Rep. Gorman in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 232, 271, 341, 510, 1138, 1149, 1158, 1159, 1161, 1181, 1207, 1230, 1236, 1237, 1249, 1251, 1266, 1269, 1291, 1293, 1353, 1374, 1378, 1384, 1390, 1427, 1429, 1441, 1450, 1476, 1525, 1526, 1529, 1541 and 1544 and Senate Bills numbered 301, 330, 369, 378, 380, 384, 391, 407, 415, 444, 449, 458, 477, 499 and 515 and Senate Joint Resolution numbered 1.

Rep. Schuett, Sen. D'Allesandro for the Committee

ENROLLED BILL AMENDMENTS

HB 1387, establishing a committee to study the need for supportive housing for homeless veterans.

Amendment (1974-EBA)

Amend section 4 of the bill by replacing line 1 with the following:

4 Chairperson; Meeting. The members of the committee shall elect a chairperson from among

Adopted.

SB 325, relative to loitering by intoxicated persons. (Amendment printed SJ 5-12-10)
Adopted.

SB 352, relative to student insurance. (Amendment printed SJ 5-12-10)
Adopted.

SB 367, relative to games of chance. (Amendment printed SJ 5-12-10)
Adopted.

RECESS